

OF
THE LAWES
OF
ECCLESIASTICALL
POLITIE;

The Sixth and Eighth Books.

BY
RICHARD HOOKER.

A work long expected, and now published according to the most
Authentique Copies.

LONDON,
Printed in the Year, 1648.

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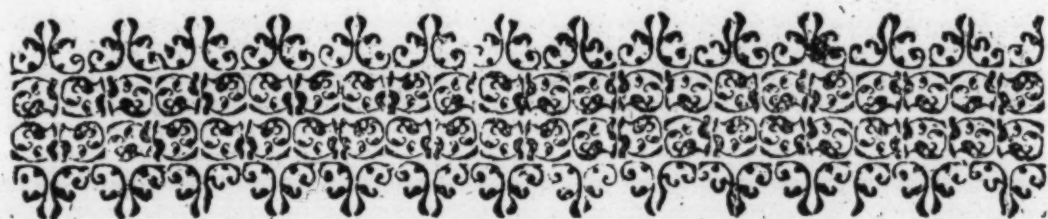
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Printed in the Year, 1648.



To the Reader.

Here is presented unto thee, Two of the Three so long expected and much desired Books of Learned Mr Hookers Ecclesiasticall Policy ; viz. the Sixth and the Eighth, as they were preserved in the hands of those Mirrours of Learning, Dr Andrewes late Lord Bishop of Winchester, and the present Dr Usher Lord Archbishop of Armagh, with great hopes the Seventh would have been recovered, that they might have been published to the worlds view at once : but endeavours used to that purpose have hitherto proved fruitlesse. And now hearing that some erronious, if not counterfeit Copies are abroad, hath occasioned the Publishing of these, to prevent as much as may be any addition of abuses to the abused Author ; and also that he which so much desired the Vnity of the Church, might have the divided members of his Labours united.



The severall Copies compared before
Publication.

THe Copy that is in Sir *Tho. Bodleys* Library
in *Oxford*.

The Copy that was in the Lord Archbishop of *Can-*
terbury his Library.

The Copy that was in Dr *Andrews* late Lord Bishop
of *winchester* his Library.

Two Copies in the hands of the Lord Archbishop of
Armagh.

The Gopy in the hands of the Lord Viscount
Conway.



OF
THE LAWE S
OF
Ecclesiasticall Politie :

The sixth Book ;

Containing their fifth Assertion :

That our Lawes are corrupt and repugnant to the Lawes of God, in matter belonging to the power of Ecclesiasticall Iurisdiction, in that we have not throughout all Churches certaine Lay-Elders established for the exercise of that Power.



He same men which in heat of contention, doe hardly either speak or give eare to reason, being after sharp and bitter conflicts, retired to a calm remembrance of all their former proceedings ; the Causes that brought them into quarrell, the course which their striving affections have followed, and the issue whereunto they are come, may peradventure as troubled waters, in

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small

The question between us, whether all Congregations, or Parishes ought to have Lay-Eldes invested with Power of Iurisdiction in spirituall causes,

Lib. 6.
Lib. 7.
Lib. 8.

small time of their own accord, by certain easie degrees settle themselves againe, and so recover that clearnesse of well advised judgement, whereby they shall stand at the length indifferent, both to yeeld and admit any reasonable satisfaction, where before they could not endure with patience to be gainesaid. Neither will I dispaire of the like successe in these unpleasant Controversies touching Ecclesiasticall Policy, the time of silence which both parts have willingly taken to breathe, seeming now as it were a pledge of all mens quiet contentment, to heare with more indifferency the waightiest and last remains of that Cause, Jurisdiction, Dignity, Dominion Ecclesiasticall. For, let any man imagine, that the bare and naked difference of a few Ceremonies could either have kindled so much fire, or have caused it to flame so long; but that the parties which herein laboured mightily for change, and (as they say) for Reformation, had somewhat more then this marke whereat to aime.

Having therefore drawn out a compleat Forme, as they suppose, of publick service to be done to God, and set down their plot for the Office of the Ministry in that behalfe; they very well knew, how little their labours so farre forth bestowed, would availe them in the end, without a claime of Jurisdiction to uphold the Fabrick which they had erected; and this neither likely to be obtained, but by the strong hand of the people, nor the people unlikely to favour it; the more, if overture were made of their own interest, right and title thereunto. Whereupon there are many which have conjectured this to be

Notwithstanding (whether they saw it necessary for them to perswade the people, without whose help they could doe nothing, or else (which I rather think) the affection which they beare towards this new Forme of Government, made them to imagine it God's own Ordinance,) Their Doctrine is, That by the Law of God, there must be for ever in all Congregations certaine Lay-Elders, Ministers of Ecclesiasticall Jurisdiction, in as much as our Lord and Saviour by Testament (for so they presume) hath left all Ministers or Pastors in the Church Executors equally to the whole power of spirituall Jurisdiction, and with them hath joyned the people as Colleagues. By maintenance of which assertion, there is unto that part apparently gained a twofold advantage, both because the people in this respect are much more easily drawn to favour it, as a matter of their own interest; and for that, if they chance to be crossed by such as oppose against them, the colour of Divine Authority, assumed for the grace and countenance of that power in the Vulgar sort, furnisheth their leaders with great abundance of matter behovefull for

their encouragement, to proceed alwayes with hope of fortunate successe in the end, considering their cause to be as *David's* was, a just defence of power given them from above, and consequently their Adversaries quarrell the same with *Saul's* by whom the Ordinance of God was withstood.

Numb. 16.

Now on the contrary side, if this their surmise prove false; if such, as in Justification whereof no evidence sufficient either hath been or can be alledged (as I hope it shall clearly appeare after due Examination and triall) let them then consider whether those words of *Corah*, *Dathan* and *Abiram* against *Moses* and against *Aaron*, *it is too much that yee take upon you, you seeing all the Congregation is holy*, be not the very true abstract and abridgement of all their published Admonitions, Demonstrations, Supplications, and Treatises whatsoever, whereby they have laboured to void the roomes of their spirituall Superiours before Authorized, and to advance the new fancied Scepter of Lay-Presbyteriall Power.

The Nature of Spirituall Iurisdiction.

But before there can be any settled Determination, whether Truth doe rest on their part, or on ours, touching Lay-Elders, we are to prepare the way thereunto, by Explication of some things requisite, and very needfull to be considered, as first how besides that Spirituall Power, which is of Order, and was instituted for performance of those duties, whereof there hath been speech already had, there is in the Church no lesse necessary, a second kinde, which we call the power of Jurisdiction. When the Apostle
doth

doth speak of ruling the Church of God, and of receiving accusations, his words have evident reference to the power of Jurisdiction. Our Saviour words to the power of Order, when he giveth his Disciples charge, saying, *Preach, Baptize: Do this in remembrance of me.* Act. 20. 28.
1 Tim. 5. 19.
Marc. 16. 15.
Mat. 28. 19.
1 Cor. 11. 24

Τιμὰ μὲν τὸ Θεὸν ὡς αἰτῶν τὸ ὅλων καὶ κύριον. Ἐπίσκοπον δὲ ὡς ἀρχιερεῖα Θεοῦ εἰκόνα φορεῶντα, καὶ μὲν τὸ ἀρχεῖν Θεοῦ, καὶ τὸ ἱερατεύειν Χριστοῦ, *Epist. ad Smirn.* A Bishop saith (*Ignatius*) doth bear the Image of God and of Christ, of God in ruling, of Christ in administering holy things: By this therefore we see a manifest difference acknowledged between the power of Ecclesiasticall Order, and the power of Jurisdiction Ecclesiasticall.

The spirituall power of the Church, being such as neither can be challenged by right of nature, nor could by humane authority be instituted, because the forces and effects thereof are supernaturall and Divine, we are to make no doubt or question, but that from him which is the Head, it hath descended unto us that are the Body now invested therewith. He gave it for the benefit and good of soules, as a meane to keep them in the Path which leadeth unto endlesse felicity, a bridle to hold them within their due and convenient bounds, and if they do goe astray, a forcible help to reclaime them: Now although there be no kinde of spirituall power, for which our Lord Jesus Christ did not give both Commission to exercise, and direction how to use the same, although his Lawes in that behalfe recorded by the holy Evangelists bee the only ground and foundation, whereupon the practice of the Church must sustaine

it self: yet as all multitudes once grown to the form of societies are even thereby naturally warranted, to enforce upon their own subjects particularly those things, which publike wisdom shall judge expedient for the common good: so it were absurd to imagine the Church it selfe the most glorious amongst them abridged of this liberty, or to think that no Law, constitution or Canon, can be further made, either for limitation, or amplification, in the practice of our Saviours Ordinances, whatsoever occasion be offered through variety of times, and things, during the state of this inconstant world, which bringeth forth daily such new evils, as must of necessity by new remedies be redrest, did both of old enforce our venerable Predecessor, and will alwayes constrain others, sometime to make, sometime to abrogate, sometime to augment, and againe to abridge sometime; in summe, often to vary, alter and change customes, incident into the manner of exercising that power which doth it selfe continue alwayes one and the same: I therefore conclude, that spirituall authority is a power which Christ hath given to be used over them which are subject unto it for the eternall good of their soules according to his own most Sacred Laws, and the wholesome positive Constitutions of his Church.

In Doctrine referred unto action and practice, as this is, which concernes spirituall Iurisdiction, the first sound and perfect understanding is the knowledge of the end, because thereby both use doth frame, and contemplation judge all things.

Of Penitency, the chiefeſt end propounded by Spirituall Jurisdiction. Two kinds of Penitency; the one a private duty toward God, the other a duty of externall Discipline. Of the vertue of Repentance from which the former duty proceedeth: And of Contrition the firſt part of that duty.

Seeing that the chiefeſt cauſe of ſpirituall Jurisdiction is to provide for the health and ſafety of mens ſoules, by bringing them to ſee and repent their grievous offences committed againſt God, as alſo to reform all injuries offered with the breach of Chriſtian love and charity, toward their brethren, in matters of Eccleſiaſticall cognizance; the uſe of this power, ſhall by ſo much the plainlier appeare, if firſt the nature of Repentance it ſelfe be known.

We are by repentance to appeaſe whom we offend by ſinne. For which cauſe, whereas all ſinne deprives us of the favour of Almighty God, our way of reconciliation with him, is the inward ſecret repentance of the heart; which inward, repentance alone ſufficeth, unleſſe ſome ſpeciall thing, in the quality of ſinne committed, or in the party that hath done amiſſe, require more. For beſides our ſubmiſſion in God's ſight, repentance muſt not only proceed to the private contentation of men, if the ſinne be a crime injurious; but alſo farther, where the whoſome Discipline of God's Church exacteth a more exemplary and open ſatisfaction. Now the Church being ſatisfied with outward repentance, as God is with inward, it ſhall not be amiſſe, for more

*Penitentie ſe-
cundæ, & unius
quanto in actu
negotium eſt,
tanto potior
probatio eſt ne
non ſola conſci-
entia proſcratur,
ſed aliquo eti-
am actu admi-
niſtretur.*

per-

Second peni-
tency follow-
ing that before
Baptism, and
being not more
then once ad-
mitted in one
man, requireth
by so much the
greater labour
to make it ma-
nifest, for that
it is not a work
which can
come again in
tryall, but must
be therefore
with some o-
pen solemnity
executed, and
not left to
be discharged
with the pri-
vacy of consci-
ence alone.
Tertul. de pœ.

perpiscuity to terme this later alwayes the Vertue,
that former the Discipline of repentance: Which
Discipline hath two sorts of Penitents to work upon,
in as much as it hath been accustomed to lay the
offices of repentance on some, seeking others, shun-
ning them, on some at their own voluntary request,
on others altogether against their wills, as shall
hereafter appeare by store of ancient examples.
Repentance being therefore either in the sight of
God alone, or else with the notice also of men:
Without the one, sometime throughly performed,
but alwayes practised more or lesse, in our daily de-
votions and prayers, we have no remedy for any
fault: Whereas the other is only required in sinnes
of a certain degree and quality; the one necessary
for ever, the other so farre forth as the Lawes and
Orders of God's Church shall make it requisite; the
nature, parts and effects of the one alwayes the same;
the other limited, extended, varied by infinite occa-
sions.

The Vertue of repentance in the heart of man is
God's handy work, a fruit or effect of Divine grace,
which grace continually offereth it selfe, even unto
them that have forsaken it, as may appeare by the
words of Christ in *S. Iohn's Revelation*, *I stand at
the door and knock*: Nor doth he only knock without,
but also within assist to open, whereby accessse and
entrance is given to the heavenly presence, of that
saving power, which maketh man a repaired Temple
for God's good Spirit again to inhabite. And albeit
the whole traine of vertues which are implied in the
name of grace be infused at one instant; yet because
when

when they meet and concur unto any effect in man, they have their distinct operations rising orderly one from another; it is no unnecessary thing that we note the way or method of the holy Ghost, in framing man's sinfull heart to repentance: A work, the first foundation whereof is laid by opening and illuminating the eye of faith, because by faith are discovered the principles of this action, whereunto unlesse the understanding doe first assent, there can follow in the will towards penitency no inclination at all: Contrariwise the resurrection of the dead, the judgement of the world to come, and the endlesse misery of sinners being apprehended, this worketh feare, such as theirs was, who feeling their own distresse and perplexity in that passion, besought our Lords Apostles earnestly to give them counsell what they should doe. For feare is impotent and unable to advise it selfe; yet this good it hath, that men are thereby made desirous to prevent, if possibly they may, whatsoever evill they dread: The first thing that wrought the *Ninivites* repentance, was feare of destruction within fourty dayes; signs and miraculous works of God, being extraordinary representations of Divine power, are commonly wont to stirre any the most wicked with terrour, lest the same power should bend it selfe against them: And because tractable minds, though guilty of much sinne, are hereby moved to forsake those evill wayes, which make his power in such sort their astonishment and feare; therefore our Saviour denounced his curse against *Corahzin* and *Bethsaida*, saying, that if *Tyre* and *Sidon* had seen that which they did, those signs which prevailed

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vailed little with the one, would have brought the others repentance. As the like thereunto did in the men given to curious Arts, of whom the Apostolike History saith, That *Feare came upon them, and many which had followed vaine sciences, burnt openly the very books out of which they had learned the same*; As feare of contumely and disgrace amongst men, together with other civill punishments, are a bridle to restraine from any hainous acts, whereinto mens outrage would otherwise break; so the feare of Divine revenge and punishment where it taketh place, doth make men desirous to be rid likewise from that inward guiltinesse of sinne, wherein they would else securely continue. Howbeit, when Faith hath wrought a feare of the event of sinne, yet repentance hereupon ensueth not, unlesse our believe conceive both the possibility and meanes to avert evill: the possibility in as much as God is mercifull, and most willing to have sinne cured; the meanes, because he hath plainly taught what is requisite, and shall suffice unto that purpose. The nature of all wicked men, is, for fear of revenge to hate whom they most wrong; the nature of hatred, to wish that destroyed which it cannot brook; and from hence ariseth the furious endeavours of godlesse and obdurate sinners, to extinguish in themselves the opinion of God, because they would not have him to be, whom execution of endlesse wo doth not suffer them to love.

Every sinne against God abateth, and continuance in sinne extinguisheth our love towards him: It was therefore said to the Angel of *Ephesus* having sinned, *Thou art fallen away from thy first love*; so that, as we
never

never decay in love till we sinne, in like sort neither can we possibly forsake sinne, unlesse we first begin againe to love. What is love towards God, but a desire of union with God? And shall we imagine a sinner converting himselfe to God, in whom there is no desire of union with God presupposed? I therefore conclude, that feare worketh no mans inclination to repentance, till somewhat else have wrought in us love also: Our love and desire of union with God ariseth from the strong conceit which we have of his admirable goodnesse: The goodnesse of God which particularly moveth unto repentance, is his mercy towards mankind, notwithstanding sinne: For let it once sink deeply into the minde of man, that howsoever we have injured God, his very nature is averse from revenge, except unto sinne we adde obstinacy; otherwise alwayes ready to accept our submission, as a full discharge or recompence for all wrongs; and can we chose but begin to love him whom we have offended, or can we but begin to grieve that we have offended him whom we love? Repentance considereth sinne as a breach of the Law of God, an act obnoxious to that revenge, which notwithstanding may be prevented, if we pacifie God in time.

The root and beginning of penitency therefore, is the consideration of our own sinne, as a cause which hath procured the wrath, and a subject which doth need the mercy of God: For unto mans understanding, there being presented on the one side, tribulation and anguish upon every soule that doth evill: on the other, eternall life unto them which by continuance

nuance in well doing, seek glory, and honour. and immortality; on the one hand, a curse to the children of disobedience; on the other, to lovers of righteousness, all grace and benediction; yet between these extreame, that eternall God from whose unspotted justice and undeserved mercy, the lot of each inheritance proceedeth, is so inclinable, rather to shew compassion then to take revenge, that all his speeches in holy Scripture are almost nothing else but entreaties of men to prevent destruction by amendment of their wicked lives; all the works of his providence little other then meere allurements of the just to continue stedfast, and of the unrighteous to change their course; all his dealings and proceedings towards true Converts, as have even filled the grave Writings of holy men, with these and the like most sweet sentences: Repentance (if I may so speak) stoppeth God in his way, when being provoked by crimes past, he commeth to revenge them with most just punishments; yea, it tyeth as it were the hands of the avenger, and doth not suffer him to have his will: Againe,

Cassia Col. 20. c. 4

* Basil. Epist.

Selen. p. 106.

φιλάνθρωπον

βλέμμα προ-

σέβαν αιδεί-

ται μετάνοιαν.

Chry. in 1 Cor.

hom. 8. ὅτι τὸ

τρωδιῶναι ἔτι

δεινόν, ὡς τὸ

τρωδεντα μὴ

ἐκέλευε θερά-

πύεσθαι.

Marc. Erem.

ἡδὲ κατεκρι-

νη εἰ μὴ μετα-

νοίας κατεφρό-

νησε, καὶ ἡδὲ

ἐδικαιώθη εἰ

μὴ ταυτῆς

ἐπιμελῆς.

*The mercicull eye of God towards men, hath no power to withstand penitencie, at what time soever it comes in presence: And againe,

God doth not take it so in evill part, though we wound that which he hath required us to keep whole, as that after we have taken hurt, there should be in us no desire to receive his help. Finally, least I be carried too farre in so large a Sea, There was never any man condemned of God but for neglect; nor justified, except he had care of repentance.

From

From these considerations, setting before our eyes our inexcusable, both unthankfulness in disobeying so mercifull, foolishness in provoking so powerfull a God; there ariseth necessarily a penfive and corrosive desire, that we had done otherwise; a desire which suffereth us to forslow no time, to feele no quietnesse within our selves, to take neither sleep nor food with contentment, never to give over supplications, confessions, and other penitent duties, till the light of God's reconciled favour, shine in our darkned soule.

Fulgentius asking the question, why *David's* confession should be held for effectuall penitence and not *Saul's*; answereth, that the one hated sinne, the other feared only punishment in this world: *Saul's* acknowledgement of sinne was feare, *David's* both feare and also love. *Ful de remi. peccat. lib. 2. cap. 15.*

This was the fountaine of *Peter's* teares, this the life and spirit of *David's* eloquence, in those most admirable Hymnes intituled *Penitentiall*, where the words of sorrow for sin, doe melt the very bowels of God remitting it, and the comforts of grace in remitting sinne, carry him which sorrowed, rapt as it were into heaven with extacies of joy and gladnesse. The first motive of the *Ninivites* unto repentance was their beliefe in a sermon of feare, but the next and most immediate, an axiome of love; *Who can tell* *Iona c. 3. 9.* *whether God will turn away his fierce wrath, that we perish not*: No conclusion such as theirs, let every man turn from his evill way, but out of premisses such as theirs were, fear and love: Wherefore the well-spring of repentance is faith, first breeding fear, and then
C 3
love,

love, which love causeth hope, hope resolution of attempt, *I will goe to my Father, and say, I have sinned against heaven and against thee; that is to say, I will doe what the duty of a Convert requireth.*

Now in a Penitent's or Convert's duty, there are included; first, the aversion of the will from sinne; secondly, the submission of our selves to God, by supplication and prayer; thirdly, the purpose of a new life, testified with present works of amendment: Which three things doe very well seeme to be comprised in one definition, by them which handle repentance, as a vertue that hateth, bewaileth, and sheweth a purpose to amend sin: We offend God in thought, word, and deed. To the first of which three, they make contrition; to the second, confession; and to the last, our works of satisfaction, answerable.

Contrition doth not here import these sudden pangs and convulsions of the minde, which cause sometimes the most forsaken of God, to retract their own doings; it is no naturall passion or anguish, which riseth in us against our wills, but a deliberate aversion of the will of man from sinne, which being alwayes accompanied with griefe, and grief oftentimes partly with tears, partly with other externall signes; it hath beene thought, that in these things, contrition doth chiefly consist: whereas the chiefest thing in contrition, is that alteration whereby the will which was before delighted with sin, doth now abhor and shun nothing more. But for as much as we cannot hate sin in our selves without heavinesse and grief, that there should be in us a thing of such hatefull quality, the will ayverted from sin must needs make

make the affection surable; yea, great reason why it should so doe: For since the will by conceiving sin hath deprived the soule of life; and of life there is no recovery without repentance the death of sin; repentance not able to kill sinne, but by withdrawing the will from it, the will impossible to be withdrawn, unlesse it concurre with a contrary affection to that which accompanied it before in evill: Is it not cleare, that as an inordinate delight did first begin sinne, so repentance must begin with a just sorrow, a sorrow of heart, and such a sorrow as renteth the heart; neither a feigned nor slight sorrow; not feigned, lest it encrease sin; nor slight, lest the pleasures of sinne over-match it.

Wherefore of Grace, the highest cause from which mans penitency doth proceed, of faith, feare, love, hope, what force and efficiency they have in repentance: of parts and duties thereunto belonging, comprehended in the School-mens definitions; finally, of the first among those duties, Contrition which disliketh and bewaileth iniquity, let this suffice.

And because God will have offences by repentance, not only abhorred within our selves, but also with humble supplication displayed before him, and a testimony of amendment to be given, even by present works, worthy repentance, in that they are contrary to those we renounce and disclaime: Although the vertue of Repentance doe require, that her other two parts, Confession and Satisfaction should here follow; yet seeing they belong as well to the Discipline as to the vertue of repentance, and only differ
for

for that in the one they are performed to man; in the other to God alone; I had rather distinguish them in joynt handling, then handle them apart, because in quality and manner of practise, they are distinct.

Of the Discipline of Repentance instituted by Christ, practised by the Fathers, converted by the School-men into a Sacrament; and of Confession, that which belongeth to the vertue of Repentance, that which was used among the Iewes, that which the Papacy imagineth a Sacrament, and that which Ancient Discipline practized.

Matt. 16. 19.

I. **O**Ur Lord and Saviour in the 16th of S. *Matthews* Gospel, giveth his Apostles regiment in generall over God's Church. For they that have the Keyes of the Kingdome of Heaven, are thereby signified to be Stewards of the House of God under whom they guide, command, judge, and correct his Familie. The souls of men are God's treasure, committed to the trust and fidelity of such, as must render a strict account for the very least which is under their custody. God hath not invested them with power to make a revenue thereof; but to use it for the good of them whom Jesus Christ hath most dearly bought.

And because their Office therein consisteth of sundry functions, some belonging to Doctrine, some to Discipline, all contained in the name of the Keyes

Keyes, they have for matters of Discipline, as well litigious as criminall; their Courts and Consistories erected by the heavenly Authority of his most sacred voyce, who hath said, *Dic Ecclesie*, Tell the Church, Mat. 18. 17. against rebellious and contumacious persons, which refuse to obey their sentence; armed they are with power to eject such out of the Church, to deprive them of the honours, rights, and priviledges of Christian men, to make them as Heathens and Publicans, with whom society was hatefull.

Furthermore, lest their acts should be slenderly accounted of, or had in contempt, whether they admit to the Fellowship of Saints, or seclude from it, whether they binde Offenders, or set them againe at liberty, whether they remit, or retain sins, whatsoever is done by way of orderly and lawfull proceeding, the Lord himselfe hath promised to ratifie. Mat. 18. 18.
10. 20. 23.
 This is that grand Originall Warrant, by force whereof the Guids and Prelates in Gods Church, first his Apostles, and afterwards others following them successively, did both use and uphold that Discipline, 1 Cor. 5. 3.
2 Cor. 2. 6.
1 Tim. 1. 20.
 the end whereof is to heal mens consciences, to cure their sinnes, to reclaime Offenders from iniquity, and to make them by repentance just.

Neither hath it of Ancient time, for any other respect been accustomed to bind by Ecclesiasticall Censures, to retaine so bound, till tokens of manifest repentance appeared, and upon apparent repentance to release, saving only because this was received as a most expedient method for the cure of sinne.

The course of Discipline in former Ages re-
 D formed

formed open Transgressors, by putting them unto Offices of open penitence; especially Confession, whereby they declared their own crimes in the hearing of the whole Church, and were not from the time of their first convention capable of the holy Mysteries of Christ, till they had solemnly discharged this duty.

Offenders in secret knowing themselves altogether as unworthy to be admitted to the Lord's Table, as the other which were with-held, being also perswaded that if the Church did direct them in the offices of their penitency, and assist them with publike prayer, they should more easily obtaine that they sought, then by trusting wholly to their own endeavours; finally, having no impediment to stay them from it but bashfulnesse, which contravailed not the former inducements; and besides, was greatly eased by the good construction, which the charity of those times gave to such actions, wherein mens piety and voluntary care to be reconciled to God, did purchase then much more love, then their faults (the testimonies of common frailty) were able to procure disgrace, they made it not nice to use some one of the Ministers of God, by whom the rest might take notice of their faults, prescribe them convenient remedies, and in the end after publike Confession, all joyn in prayer unto God for them.

The first beginner of this custome, had the more Followers by meanes of that speciall favour which alwayes was with good consideration shewed towards voluntary penitents above the rest.

But as Professors of Christian beliefe grew more

in number, so they waxed worse, when Kings and Princes had submitted their Dominions unto the Scepter of Jesus Christ, by meanes whereof Persecution ceasing, the Church immediately became subject to those evils which peace and security bringeth forth; there was not now that love which before kept all things in tune, but everywhere Schismes, Discords, Dissentions amongst men, Conventicles of Hereticks, bent more vehemently against the founder and better sort then very Infidels and Heathens themselves; faults not corrected in charity, but noted with delight, and kept for malice, to use when the deadliest opportunities should be offered.

Whereupon, for as much as publike Confessions became dangerous and prejudiciall to the safety of well minded men, and in divers respects advantageous to the enemies of God's Church; it seemed first unto some, and afterwards generally requisite, that Voluntary Penitents should surcease from open Confession.

In stead whereof, when once private and secret Confession had taken place with the *Latins*, It continued as a profitable Ordinance, till the *Lateran* Councell had Decreed, that all men once in a yeare at the least, should confesse themselves to the Priest.

So that being a thing thus made both generall and also necessary, the next degree of estimation whereunto it grew, was to be honoured and lifted up to the nature of a Sacrament, that as Christ did institute baptism to give life, and the Eucharist to nourish life, so Penitence might be thought a Sa-

crament, ordained to recover life, and Confession a part of the Sacrament.

*Soto in 4. sent. d.
14. q. 1. art. 1.*

Id. ead. dist. 7. 2. art. 1.

They define therefore their private Penitency, to be a Sacrament of remitting sinnes after Baptisme: The vertue of Repentance, a detestation of wickednesse, with full purpose to amend the same, and with hope to obtaine pardon at God's hands.

Wherefover the Prophets cry *Repent*, and in the Gospel *S. Peter* maketh the same Exhortation to the Jewes, as yet unbaptized, they will have the vertue of Repentance only to be understood. The Sacrament, where he adviseth *Simon Magus* to repent, because the sinne of *Simon Magus*, was after Baptisme.

*Scot. sent. 1. 4. d.
149 4.*

Now although they have only externall Repentance for a Sacrament, internall for a Vertue; yet make they Sacramentall Repentance neverthelesse to be composed of three parts, Contrition, Confession, and Satisfaction; which is absurd; because Contrition being an inward thing, belongeth to the Vertue, and not to the Sacrament of Repentance, which must consist of externall parts; if the nature thereof be externall. Besides, which is more absurd, they leave out Absolution, whereas some of their School Divines, handling Penance in the nature of a Sacrament, and being not able to espie the least resemblance of a Sacrament, save only in Absolution (for a Sacrament by their doctrine must both signifie and also conferre, or bestow some speciall Divine Grace) resolved themselves, that the duties of the Penitent could be but meer preparations to the Sacrament, and that the Sacrament it selfe was wholly

in

in Absolution. And albeit *Thomas* with his Followers have thought it safer, to maintaine as well the services of the Penitent, as the words of the Minister, necessary unto the essence of their Sacrament; the services of the Penitent, as a cause materiall; the words of Absolution, as a formall; for that by them all things else are perfected to the taking away of sin: which opinion, now raigneth in all their Schools, since the time that the Councell of *Trent* gave it solemn approbation, seeing they all make Absolution, if not the whole essence, yet the very form whereunto they ascribe chiefly the whole force and operation of their Sacrament; surely, to admit the matter as a part, and not to admit the form, hath small congruity with reason.

*Scss. 14. c. 3. Do-
cet Sancta Syno-
dus Sacramenti
pœnitentie for-
mam in qua
præcipue ipsius
vis sita est, in
illis Ministri
verbis positam
esse, Ego te
absolvo. Sunt
autem quasi
materia huius
Sacramenti ip-
sius pœnitentis
actus, nempe
Contritio, Con-
fessio, & Satis-
factio.*

Againe, for as much as a Sacrament is compleat, having the matter and forme which it ought, what should lead them to set down any other parts of Sacramentall repentance, then Confession and Absolution, as *Durandus* hath done?

For touching Satisfaction, the end thereof, as they understand it, is a further matter, which resteth after the Sacrament administred, and therefore can be no part of the Sacrament.

Will they draw in Contrition with Satisfaction, which are no parts, and exclude Absolution (a principall part,) yea, the very complement, form and perfection of the rest as themselves account it? But for their breach of precepts in art, it skilleth not, if their Doctrine otherwise concerning Penitency, and in Penitency touching Confession might be found true.

D 3

We

We say, Let no man look for pardon, which doth smother and conceal sinne, where in duty it should be revealed.

The cause why God requireth Confession to be made to him, is, that thereby testifying a deep hatred of own iniquity, the only cause of his hatred and wrath towards us, we might because we are humble, be so much the more capable of that compassion and tender mercy, which knoweth not how to condemn sinners that condemn themselves.

1. Pet. 7. 47.

*Tantum elevat
Confessio delicto-
rum quantum
dissimulatio ex-
aggerat. Confessio
autem satisfaci-
tionis consili-
um est, dissimu-
latio contu-
mace, Tert. de
Pet.*

*Chry. hom. 30.
in Epist. ad Heb.*

If it be our Saviours own principle, that the conceit we have of our debt forgiven, proportioneth our thankfulness and love to him, at whose hands we receive pardon; doth not God fore-see, that they which with ill advised modesty seek to hide their sin like *Adam*, that they which rake it up under ashes, and confesse it not, are very unlikely to requite with offices of love afterwards, the grace which they shew themselves unwilling to prize at the very time when they sue for it, in as much as their not confessing what crimes they have committed, is a plaine signification how loth they are that the benefit of God's most gracious pardon should seeme great. Nothing more true, then that of *Tertullian*, *Confession doth as much abate the weight of mens offences, as concealment doth make them heavier*. For he which confesseth, hath a purpose to appease God; hee, a determination to persist and continue obstinate, which keeps them secret to himselfe. *S. Chrysostome* almost in the same words, *wickednesse is by being acknowledged, lessened, and doth but grow by being hid*. If men having done amisse, let it slip, as though they

they knew no such matter, what is there to stay them from falling into one and the same evill? To call our selves sinners availeth nothing, except we lay our faults in the ballance, and take the weight of them one by one. Confesse thy crimes to God, disclose thy transgressions before thy Judge, by way of humble supplication and suit, if not with tongue, at the least with heart, and in this sort seek mercy. A generall perswasion that thou art a sinner, will neither so humble, nor bridle thy soule, as if the Catalogue of thy finnes examined severally, be continually kept in minde. This shall make thee lowly in thine owne eyes, this shall preserve thy feet from falling, and sharpen thy desires towards all good things. The minde I know doth hardly admit such unpleasant remembrances, but we must force it, we must constraine it thereunto. It is safer now to be bitten with the memory, then hereafter with the torment of sinne.

The Jewes with whom no repentance for sinne is available without Confession, either conceived in mind or uttered; which latter kinde they call usually ויקרא Confession delivered by word of mouth, had first Levit. 16. 11. 13 that generall Confession which once every year was made, both severally by each of the people for himselfe, upon the day of expiation, and by the Priest for them all. On the day of expiation, the high Priest maketh three expresse Confessions, acknowledging unto God the manifold transgressions of the whole Nation, his own personall offences likewise, together with the finnes, as well of his Family, as of the rest of his ranke and order. All Israel is bound on the day of expiation to repent and confesse. R. Mos. in lib. Mitsworib hagadol. par. 2. pre. 16.

(They)

They had againe their voluntary Confessions, at the times and seasons, when men bethinking themselves of their wicked conversation past, were resolved to change their course, the beginning of which alteration was still Confession of finnes.

Thirdly, over and besides these, the Law imposed upon them also that speciall Confession, which they in their book call *וודרי על עון כויהוד*.

Nim. 5. 6.

Confession of that particular fault, for which we namely seek pardon at God's hands. The words of the Law concerning Confession in this kinde, are as followeth: When a man or woman shall commit any sin, that men commit, and transgresse against the Lord, their sinne which they have done (that is to say, the very deed it selfe in particular) they shall acknowledge. In *Leviticus* after certaine transgressions there mentioned, we reade the like: When a man hath sinned in any one of these things, he shall then confesse, how in that thing he hath offended. For such kinde of speciall finnes, they had also speciall Sacrifices, wherein the manner was that the Offender should lay his hands on the head of the Sacrifice which he brought, and should there make Confession to God, saying, *Now O Lord, that I have offended, committed sinne, and done wickedly in thy sight, this or this being my fault, behold, I repent me, and am utterly ashamed of my doings; my purpose is never to returne more to the same crime.*

*Misne Tora
Tractatu Teshu-
ba, cap. 1. & R.
M. in lib. Mis-
noth, par. 2.
c. 16.*

*Mos. in Misnoth.
par. 2. pr. c. 16.*

None of them, whom either the house of judgement hath condemned to die, or of them which are to be punished with stripes, can be cleare by being executed or scourged, till they repent & confesse their faults.

Finally

Finally, there was no man amongst them at any time, either condemned to suffer death, or corrected, or chastized with stripes, none ever sick and near his end, but they called upon him to repent and confesse his finnes.

To him which is sick, and draweth towards death, they say confesse. *Idem.*

Of Malefactors convict by witnesses, and thereupon either adjudged to die, or otherwise chastized, their custome was to exact, as *Ioshua* did of *Achan*, open confession, *My son, now give glory to the Lord God of Israel, confesse unto him, and declare unto me what thou hast committed, conceale it not from me, Jos. 7.19.*

Concerning injuries and trespasses which happen between men, they highly commend such as will acknowledge before many.

It is in him which repenteth, accepted as an high Sacrifice, if he will confesse before many, make them acquainted with his over-sights, and reveale the transgressions which have passed between him and any of his brethren; saying, I have verily offended this man, thus and thus I have done unto him, but behold I doe now repent and am sorry. Contrariwise, who-soever is proud and will not be known of his faults, but cloaketh them, is not yet come to perfect repentance; for so it is written, *He that hides his sins shall not prosper*, which words of *Salomon* they doe not further extend, then only to finnes committed against men, which are in that respect meet before men to be acknowledged particularly. But in finnes between man and God, there is no necessity that man should himselfe make any such open and particular recitall of them; to God they are known, and of us it is required, that we cast not the memory of them

E

carelessly

carelessly and loosely behinde our backs, but keep in minde as near as we can, both our own debt, and his grace which remitteth the same.

Mat. 3. 6.

Act. 19. 18.

Wherefore to let passe Jewish confession, and to come unto them which hold Confession in the care of the Priest commanded; yea, commanded in the nature of a Sacrament, and thereby so necessary, that sinne without it cannot be pardoned, let them finde such a Commandment in holy Scripture, and we ask no more. *Iohn* the Baptist was an extraordinary person, his birth, his actions of life, his Office extraordinary. It is therefore recorded for the strangeness of the act, but not set down as an everlasting Law for the World; *That to him Ierusalem and all Iudea made confession of their finnes*: Besides, at the time of this confession, their pretended sacrament of repentance as they grant, was not yet instituted, neither was sinne after Baptism, which Penitents did there confess; When that which befell the seven sonnes of *Sceva*, for using the name of our Lord Jesus Christ in their conjurations, was notified to Jews and Grecians in *Ephesus*, it brought an universall fear upon them, in so much that divers of them which had believed before, but not obeyed the Laws of Christ, they should have done, being terrified by this example, came to the Apostle, and confessed their wicked deeds. Which good and vertuous act, no wise man as I suppose will disallow, but commend highly them, whom God's good Spirit shall move to doe the like when need requireth.

Yet neither hath this example the force of a generall commandment, or law to make it necessary

for every man, to poure into the cares of the Priest whatsoever hath been done amisse, or else to remaine everlastingly culpable and guilty of sin; in a word, it proveth confession practized as a vertuous act, but not commanded as a Sacrament.

Now concerning S. James his Exhortation, whether the former branch be considered, which saith, *Is any sick among you? let him call for the Ancients of the Church, and let them make their prayers for him; or the latter, which stirreth up all Christian men unto mutuall acknowledgement of faults amongst themselves; Lay open your minds, make your confessions one to another;* is it not plain, that the one hath relation to that gift of healing, which our Saviour promised his Church, saying, *They shall lay their hands on the sick, and the sick shall recover health?* relation to that gift of healing, whereby the Apostle imposed his hands on the Father of Publius, and made him miraculously a sound man; relation finally to that gift of healing, which so long continued in practice after the Apostles times, that whereas the Novatianists denied the power of the Church of God, in curing sinne after Baptism, S. Ambrose asked them againe, *why it might not as well prevail with God for spirituall, as for corporall and bodily health; yea, wherefore (saith he) do ye your selves lay hands on the diseased and believe it to be a work of benediction or prayer, if haply the sick person be restored to his former safety?* And of the other member which toucheth mutuall confession, doe not some of themselves, as namely, Cajetan deny, that any other Confession is meant, then only that, which seeketh either association of prayers, or reconciliation, or

Iam. 5. 16.

Mar. 16. 18.

Act. 18. 8.

Amb. de pæn. l. 1. c. 7.

Annot. Rhem.
in Iac. 5.

1 Iohn 1.9.

pardon of wrongs? Is it not confessed by the greatest part of their own retinue, that we cannot certainly affirm sacramentall confession to have been meant or spoken of in this place? Howbeit *Bellarmaine* delighted to runne a course by himselfe where colourable shifts of wit will but make the way passible, standeth as formally for this place, and not lesse for that in *S. Iohn*, then for this. *S. Iohn* saith, *If we confesse our sinnes, God is faithfull and just to forgive our sinnes, and to cleanse us from all unrighteousnesse*; doth *S. Iohn* say, *If we confesse to the Priest, God is righteous to forgive, and if not, That our sins are unpardonable*? No, but the titles of God *just* and *righteous* doe import, that he pardoneth sin only for his promise sake; *And there is not (they say) any promise of forgivenesse upon confession made to God without the Priest*; Not any promise, but with this condition, and yet this condition nowhere exprest.

Is it not strange that the Scripture speaking so much of repentance, and of the severall duties which appertaineth thereunto, should ever meane, and nowhere mention that one condition, without which all the rest is utterly of none effect; or will they say, because our Saviour hath said to his Ministers *whose sins ye retain &c.* and because they can remit no more, then what the offenders have confest, that therefore by vertue of his promise, it standeth with the righteousness of God, to take away no man sinnes, untill by auricular confession they be opened unto the Priest?

They are men that would seeme to honour Antiquity, and none more to depend upon the reverent judgement

judgement thereof. I dare boldly affirm, that for many hundred years after Christ, the Fathers held no such opinion; they did not gather by our Saviours words, any such necessity of seeking the Priests Absolution from sinne, by secret and (as they now term it) sacramentall confession: Publike confession they thought necessary by way of Discipline, not private confession, as in the nature of a Sacrament, necessary.

For to begin with the purest times, it is unto them which read and judge without partiality a thing most clear, that the ancient *ἑομολόγησις* or confession, defined by *Tertullian* to be a Discipline of humiliation, and submission, framing mens behaviour in such sort as may be fittest to move pity, the confession which they use to speak of in the exercise of repentance, was made openly in the hearing of the whole both Ecclesiasticall Consistory and Assembly.

This is the reason wherefore he perceiving, that divers were better content their soares should secretly fester, and eat inward, then be laid so open to the eyes of many, blameth greatly their unwise bashfulness, and to reform the same, perswadeth with them saying, *Amongst thy brethren and fellow servants, which are partakers with thee of one and the same nature, feare, joy, grieve, sufferings (for of one common Lord and Father, we have all received one spirit) why shouldest thou not think with thy selfe, that they are but thine own selfe? wherefore dost thou avoyd them, as likely to insult over thee, whom thou knowest subject to the same haps? At that which grieveth any one part, the whole body cannot rejoyce, it must needs be that the whole will labor,*

Plerosq; hoc opus ut publicationem sui aut suffugere, aut de die in diem differre, præsumo pudoris magis memores quam salutis, velut illi qui in partibus recundioribus corporis contrita vexatione conscientia medentium vitant, & ita cum cruescentia sua pereunt. Terr. de

and strive to help that wherewith a part of it selfe is molested.

*Qui necessi-
tam sacrifican-
di pecunia apud
Magistratum
redimebant ac-
cepta securita-
tis Syngrapha
libellatici dice-
bantur.*

St Cyprian being grieved with the dealings of them, who in time of persecution had through feare betrayed their faith, and notwithstanding thought by shift to avoid in that case the necessary Discipline of the Church, wrote for their better instruction, the book intituled *De lapsis*; a Treatise concerning such, as had openly forsaken their Religion, and yet were loth openly to confesse their fault, in such manner as they should have done: In which book he compareth with this sort of men, certain others which had but a purpose only to have departed from the Faith; and yet could not quiet their minds, till this very secret and hidden fault was confest, *How much both greater in faith (saith St Cyprian) and also as touching their, feare, better, are those men who although neither sacrifice, nor libell could be objected against them, yet because they thought to have done that which they should not, even this their intent they dolefully open unto God's Priests? they confesse that whereof their conscience accuseth them, the burthen that presseth their minds they discover, they foreflow not of smaller and slighter evils, to seek remedy: He saith they declared their fault, not to one onely man in private, but revealed it to God's Priests, they confest it before the whole Consistory of Gods Ministers.*

Salvianus (for I willingly embrace their conjecture, who ascribe those Homiles to him, which have hitherto by common error past under the counterfeit name of *Eusebius Emesenus*;) I say, *Salvianus*, though comming long after *Cyprian* in time, giveth

giveth neverthelesse the same evidence for this truth, in a case very little different from that before al-
 leadged; his words are these, *whereas* (most dearely
 beloved) we see that penance oftentimes is sought and
 sued for by holy soules, which even from their youth have
 bequeathed themselves a precious treasure unto God, let
 us know that the inspiration of God's good Spirit mo-
 veth them so to doe for the benefit of his Church, and let
 such as are wounded, learn to enquire for that remedy,
 wherunto the very soundest doe thus offer and obtrude
 as it were themselves, that if the vertuous doe bewaile
 small offences, the others cease not to lament great. And
 surely, when a man that hath lesse need, performeth
sub oculis Ecclesie, in the view, sight, and beholding
 of the whole Church, an office worthy of his faith
 and compunction for sinne, the good which others
 thereby reap is his own harvest, the heap of his
 rewards groweth by that which another gaineth, and
 through a kinde of spirituall usury from that amend-
 ment of life which others learn by him, there return-
 eth lucre into his coffers. The same *Salvianus* in ano-
 ther of his Homilies, *If faults haply be not great and*
grievous (for example, if a man have offended in word, or
 in desire, worthy of reproof, if in the wantonnes of his eye, or
 the vanity of his heart) the staines of words and thoughts
 are by daily prayer to be cleansed, and by private compuncti-
 on to be scoured out: But if any man examining inwardly
 his own conscience, have committed some high and capitall
 offence, as if by bearing false witnesse, he have quelled
 and betrayed his faith, and by rashnesse of perjury have
 violated the sacred name of truth, if with the mire of
 lustfull uncleannesse he have sullied the vaile of Baptism,
 and

*Hom. i. de ini-
 tio quadragesi-
 me.*

*Hom. io. Ad
 Monachos.*

Graviores &
acriores, & pub-
licas curas re-
quirunt.

Hom. 8. ad Mo-
nach.

Lib. 2. de pen.
cap. 9.

and the gorgeous robe of Virginity, if by being the cause of any mans death, he have been the death of the new man within himself, if by conference with South-sayers, Wisards and Charmers, he hath enthralled himself to Satan, These and such like committed crimes, cannot throughly be taken away with ordinary, moderate, and secret satisfaction, but greater causes doe require greater and sharper remedies, they need such remedies as are not only sharp, but solemn, open and publike. Again, Let that soule (saith he) answer me, which through pernicious shamefastnesse is now so abasht to acknowledge his sin in conspectu fratrum, before his brethren, as he should have been before abasht to commit the same, what he will doe in the presence of that Divine Tribunall where he is to stand arraigned in the Assembly of a glorious and celestially host? I will hereunto adde but St Ambrose's testimony: For the places which I might alledge, are more then the cause it selfe, needeth; There are many (saith he) who fearing the judgement that is to come, and feeling inward remorse of conscience, when they have offered themselves unto penitency, are enjoined what they shall do, give back for the only skarre which they think that publike supplication will put them unto. He speaketh of them which sought voluntarily to be penanced, and yet withdrew themselves from open confession, which they that were penitents for publike crimes could not possibly have done, and therefore it cannot be said he meaneth any other then secret sinners in that place. Gennadius a Presbyter of Marfiles in his book touching Ecclesiasticall assertions, maketh but two kinds of confession necessary, the one in private to God alone for smaller offences, the other open

open, when crimes committed are hainous and great, *Although* (saith he) *a man be bitten with conscience of sinne, let his will be from thence forward to sinne no more; let him before he communicate, satisfie with teares and prayers, and then putting his trust in the mercy of Almighty God (whose wont is, to yeeld to godly confessions) let him boldly receive the Sacrament. But I speak this of such as have not burthened themselves with capitall sinnes: Then I exhort to satisfie, first by publike penance, that so being reconciled by the sentence of the Priest, they may communicate safely with others. Thus still we heare of publike confessions, although the crimes themselves discovered were not publike; we heare that the cause of such confessions was not the opennesse, but the greatnesse of mens offences; finally, we heare that the same being now held by the Church of Rome to be Sacramentall, were the only penitentiall confessions used in the Church for a long time, and esteemed as necessary remedies against sinne.*

They which will finde Auricular confessions in St Cyprian, therefore must seek out some other passage, then that which Bellarmine alleadgeth, *Whereas in smaller faults which are not committed against the Lord himselfe, there is a competent time assigned unto penitency, and that confession is made, after that observation and tryall had been had of the Penitent's behaviour, neither may any communicate till the Bishop and Clergy have laid their hands upon him; how much more ought all things to be warily and stayedly observed according to the Discipline of the Lord, in these most grievous and extreame crimes? S. Cyprians speech is*

F

against

Cyp. Epist. 12.

*Inspecta vita
ejus qui agit
penitentiam*

against rashnesse in admitting Idolators to the holy Communion, before they had shewed sufficient repentance, considering that other offenders were forced to stay out their time, and that they made not their publike confession, which was the last act of penitency, till their life and conversation had been seen into, not with the eye of auricular scrutiny, but of pastorall observation, according to that in the Councell of Nice, where thirteen years, being set for the penitency of certaine offenders, the severity of this Decree is mitigated with speciall caution: *That in all such cases, the minde of the penitent and the manner of his repentance is to be noted, that as many as with feare and teares, and meeknesse, and the exercise of good works, declared themselves to be Converts indeed, and not in outward appearance only, towards them the Bishop at his discretion might use more lenity. If the Councell of Nice suffice not, let Gratian the founder of the Canon Law expound Cyprian, who sheweth that the stint of time in penitency, is either to be abridged or enlarged, as the Penitent's faith and behaviour shall give occasion; I have easilier found out men (saith S. Ambrose) able to keep themselves free from crimes, then conformable to the rules which in penitency they should observe. S. Gregory Bishop of Nice complaineth and enveigheth bitterly against them, who in the time of their penitency, lived even as they had done alwayes before; Their countenance as chearfull, their attire as neat, their dyet as costly, and their sleep as secure as ever, their worldly businesse purposely followed, to exile pensive thoughts from their minds, repentance pretended, but indeed nothing lesse exprest;*

Con. Nic. par. 2.
c. 12.

Pro fide & con-
versatione Pe-
nitentium.

De pœn. dist. 1.
cap. Mensuram.
Ambros. de pœn.
lib. 2. c. 10.

Greg. Niss. erat.
In eos qui alios
acerbe judicant.

express: These were the inspections of life whereunto S. Cyprian alludeth; as for Auricular Examinations he knew them not.

Were the Fathers then without use of private confession as long as publike was in use? I affirm no such thing. The first and ancientest that mentioneth this Confession, is *Origen*, by whom it may seem that men being loth to present rashly themselves & their faults unto the view of the whole Church, thought it best to unfold first their minds to some one speciall man of the Clergy, which might either help them himselfe, or referre them to an higher Court if need were;

Be therefore circumspect (saith Origen) in making choice of the party, to whom thou meanest to confesse thy sinne; know thy Physitian before thou use him; If he finde thy malady such as needeth to be made publike, that other may be the better by it, and thy selfe sooner helpt, his counsell must be obeyed. That which moved sinners thus voluntarily to detect themselves both in private and in publike, was feare to receive with other Christian men the mysteries of heavenly grace, till God's appointed Stewards and Ministers did judge them worthy: It is in this respect that S. Ambrose findeth fault with certaine men which sought imposition of penance, and were not willing to wait their time, but would be presently admitted Communicants. *Such people (saith he) doe seek by so rash and preposterous desires, rather to bring the Priest into bonds then to loose themselves: In this respect it is that S. Augustine hath likewise said, When the wound of sinne is so wide, and the disease so farre gone that the medicinable body and bloud of our Lord may not be touched, men are by the*

Orig. in Psa. 37.

Amb. l. 2. de pen. c. 9.

Si non tam se solvere cupiunt quam Sacerdotem ligare.

Aug. in hom.
de pœn.

Bishops authority to sequester themselves from the Altar, till such time as they have repented, and be after reconciled by the same authority. Furthermore, because the knowledge how to handle our own soares, is no vulgar and common art, but we either carry towards our selves for the most part an over-soft and gentle hand, fearefull of touching too near the quick, or else endeavouring not to be partiall, we fall into timorous scrupulosities, and sometime into those extream discomforts of minde, from which we hardly doe ever lift up our heads againe, men thought it the safest way to disclose their secret faults, and to crave imposition of penance from them whom our Lord Jesus Christ hath left in his Church to be spirituall and ghostly Physitians, the guides and Pastors of redeemed souls, whose office doth not only consist in generall perswasions unto amendment of life, but also in the private particular cure of diseased minds.

Hom. de pœn.
Niniv.

Howsoever the Novatianists presume to plead against the Church (saith Salvianus) that every man ought to be his own penitentiary, and that it is a part of our duty to exercise, but not of the Church's Authority to impose or prescribe repentance; the truth is otherwise, the best and strongest of us may need in such cases direction: what doth the Church in giving penance, but shew the remedies which sinne requireth? or what doe we in receiving the same but fulfill her precepts? what else but sue unto God with teares, and fasts, that his mercifull eares may be opened? S. Augustine's exhortation is directly to the same purpose; Let every man whilest he hath time judge himselfe, and change his life.

Aug. hom. de
pœn. citatur à
Grat. dist. 1. c.
Indicet.

life of his own accord, and when this is resolved, Let him from the disposers of the holy Sacraments, learn in what manner he is to pacifie Goa's displeasure: But the greatest thing which made men forward and willing upon their knees to confesse whatsoever they had committed against God, and in no wise to be withheld from the same, with any feare of disgrace contempt, or obloquie, which might ensue, was their fervent desire to be helped and assisted with the prayers of God's Saints. Wherein as S. Iames doth exhort unto mutuall confession, alleadging this only for a reason, that just men's devout prayers are of great avail with God; so it hath been heretofore the use of Penitents for that intent to unburthen their minds, even to privats persons, and to crave their prayers. Whereunto Cassianus alluding, counselleth, That if men possess with dulnesse of spirit be themselves unapt to doe that which is required, they should in meek affection seek health at the least by good and vertuous mens prayers unto God for them. And to the same effect Gregory Bishop of Nisse, Humble thy self, and take unto thee such of thy brethren as are of one mind, and doe beare kind affection towards thee, that they may together mourn and labour for thy deliverance. Shew me thy bitter and abundant tears, that I may blend mine own with them.

A pæpofitis Sacramentorum accipiat satisfactionis sue modum.

Iam. 5. 16.

Cassia. col. 20. c. 8.

Greg. Niss. Oratione in eos qui alios acerbè iudicant.

But because of all men there is or should be none in that respect more fit for troubled and distressed minds to repaire unto then God's Ministers, he proceedeth further, Make the Priest, as a Father partaker of thine affection and grieve, be bold to impart unto him the things that are most secret, he will have care both of thy safety, and of thy credit.

Leo I. Ep. 73.
ad Episc. Cam-
pan. citat. a
Grat. de pen.
d. 1. c. sufficit.

Ambro. l. 2. de
pen. c. 1. c.

Tertull. de pen.

Leo I. Ep. 78.

Confession (saith Leo) is first to be offred to God, and then to the Priest, as to one which maketh supplication for the sinnes of penitent offenders. Suppose we, that men would ever have been easily drawn, much lesse of their own accord have come unto publike confession, whereby they know they should sound the trumpet of their own disgrace, would they willingly have done this, which naturally all men are loth to doe, but for the singular trust and confidence which they had in the publike prayers of God's Church? Let thy mother the Church weep for thee (saith Ambrose) let her wash and bathe thy faults with her teares: Our Lord doth love that many should become suppliant for one; In like sort long before him, Tertullian, Some few assembled make a Church, and the Church is as Christ himself; when thou dost therefore put forth thy hands to the knees of thy brethren, thou touchest Christ; it is Christ unto whom thou art a suppliant; so when they poure out teares over them, it is even Christ that taketh compassion; Christ which prayeth when they pray: Neither can that easily be denied, for which the Son is himselfe contented to become a suitor.

Whereas in these considerations therefore, voluntary Penitents had been long accustomed for great and grievous crimes, though secret, yet openly both to repent and confesse as the Canons of Ancient Discipline required, the Greek Church first, and in proesse of time the Latin altred this order, judging it sufficient and more convenient that such offenders should doe penance and make confession in private only. The cause why the Latins, did Leo declareth, saying: *Although that ripenesse of faith be*

com-

commendable, which for the feare of God doth not feare to incurre shame before all men, yet because every one's crimes are not such, that it can be free and safe for them to make publication of all things, wherein repentance is necessary, let a custome so unfit to be kept, be abrogated, least many forbear to use remedies of penitency, whilst they either blush or are afraid to acquaint their enemies with those acts for which the Lawes may take hold upon them. Besides, it shall win the more repentance, if the consciences of sinners be not emptied into the peoples eares; And to this only cause doth Sozomen impute the change, which the Grecians made, by ordaining throughout all Churches certaine Penitentiaries to take the Confessions, and appoint the penances of secret offenders. Socrates (for this also may be true that more inducements then one, did set forward an alteration so generally made) affirmeth the Grecians (and not unlikely) to have specially respected therein the occasion, which the Novatianists took at the multitude of publike Penitents, to insult over the Discipline of the Church, against which they still cryed out, wheresoever they had time and place, *He that sheweth sinners favour, doth but teach the innocent to sinne*: And therefore they themselves admitted no man to their communion upon any repentance, which once was known to have offended after baptism, making sinners thereby not the fewer, but the closer, and the more obdurate, how faire soever their pretence might seem.

The Grecians Canon for some one Presbyter in every Church to undertake the charge of penitency, and to receive their voluntary confessions, which had
sinned.

sinced after Baptism, continued in force for the space of above some hundred years, till *Nectarius*, and the Bishops of Churches under him begun a second alteration, abolishing even that confession which their *Penitentiaries* took in private. There came to the *Penitentiary* of the Church of *Constantinople*, a certain Gentlewoman, and to him she made particular confession of her faults committed after Baptism, whom thereupon hee advised to continue in fasting and prayer, that as with tongue she had acknowledged her sinnes, so there might appear likewise in her some work worthy of repentance : But the Gentlewoman goeth forward, and detecteth her selfe of a crime, whereby they were forced to disrobe an Ecclesiasticall person, that is to degrade a Deacon of the same Church. When the matter by this mean came to publike notice, the people were in a kinde of tumult offended, not only at that which was done, but much more, because the Church should thereby endure open infamy and scorn. The Clergy perplexed and altogether doubtfull what way to take till one *Eudemon* born in *Alexandria*, but at that time a Priest in the Church of *Constantinople*, considering that the causes of voluntary confession whether publike or private, was especially to seek the Churches aide, as hath been before declared, lest men shoulde either not communicate with others, or wittingly hazard their soules, if so be they did communicate, and that the inconvenience which grew to the whole Church was otherwise exceeding great, but especially grievous by meanes of so manifold offensive detections, which must needs be continually more,

as the world did it selfe wax continually worse, for Antiquity together with the gravity and severity thereof (saith *Sozomen*) had already begun by little and little to degenerate into loose and carelesse living, whereas before offences were lesse, partly through bashfulnesse in them which open their own faults, and partly by meanes of their great austerity, which thought as judges in this businessse; these things *Eudæmon* having weighed with himselfe resolved easily the minde of *Nectarius*, that the *Penitentiaries* office must be taken away, and for participation in God's holy mysteries every man be left to his own conscience, which was as he thought, the only mean to free the Church from danger of obloquie and disgrace. Thus much (saith *Socrates*) I am the bolder to relate, because I received it from *Eudæmons* own mouth, to whom mine answer was at that time; whether your counsel Sir have been for the Churches good, or otherwise, God knoweth: But I see, you have given occasion whereby we shall not now any more reprehend one another's faults, nor observe that Apostolike precept, which saith, Have no Fellowship with the unfruitfull works of darknesse, but rather be yee also reprovers of them. With *Socrates*, *Sozomon* both agreeth in the occasion of abolishing *Penitentiaries*; and moreover testifyeth also, that in his time living with the younger *Theodosius*, the same abolition did still continue, and that the Bishops had in a manner everywhere followed the example given them by *Nectarius*.

Wherefore to implead the truth of this History, *Cardinall Baronius* alleadgeth that *Socra-*

tes, *Sozomen* and *Eudemon* were all *Novatianists*, and that they falsify in saying, (for so they report) that as many as held the *Consubstantiall* being of Christ,

Tanta hæc Socrati testanti præstanda est fides quanta ceteris hæreticis de suis dogmatibus tractantibus; quippe Novatianus scelerum fuerit, quam vere ac sincere hæc scripserit adversus penitentiam in Ecclesia administrari solitam, quemlibet credo posse facile judicare, Bar. t. i. ann. Chr. 56.

Sozomenum eandem prorsus causam fuisse æritum est. Nec Eudemonem illum alium quam Novatiane sectæ hominem fuisse credendum est. Ibid.

Sacerdos ille merito à Nestorio est gradu amotus officioq. depositus, quo facto Novatiani (ut mos est hæreticorum) quæcunque licet levem ut synceris dogmatibus detrahant accipere ausi occasionem, non tantum Presbyterum Penitentiarium in ordinem redactum, sed & penitentiam ipsam unam cum eo fuisse proscriptam calumniose admodum conclamarunt, cum tamen illa potius Theatralis fieri interdum solita peccatorum fuerit abrogata, Ibid.

gave their assent to the abrogation of the forehearsed Canon. The summe is, he would have it taken for a fable, and the world to be perswaded that *Nestorius* did never any such thing. Why then should *Socrates* first and afterwards *Sozomen* publish it? To please their pew-fellows the disciples of *Novatian*. A poor gratification, and they very silly friends, that would take lyes for good turns. For the more acceptable the matter was, being deemed true, the lesse they must needs (when they found the contrary) either credit, or affect him which

had deceived them. Notwithstanding we know that joy and gladnesse rising from false information, doe not only make men so forward to believe that which they first hear, but also apt to scholie upon it and to report as true whatsoever they wish were true. But so farre is *Socrates* from any such purpose, that the fact of *Nestorius* which others did both like and follow, he doth disallow and reprove. His speech to *Eudemon* before set down, is proof sufficient that he writeth nothing, but what was famously known to all, and what himselfe did wish had been otherwise. As for *Sozomen's* correspondency with Hereticks, having shewed

shewed to what end the Church did first ordaine *Penitenaries*, he addeth immediately that *Novatianists*, which had no care of repentance, could have no need of this office. Are these the words of a friend or enemy? Besides, in the entrance of that whole narration: *Not to sinne* (saith he) *at all would require a nature more divine then ours is; But God hath commanded to pardon sinners; yea, although they transgresse and offend often.* Could there bee any thing spoken more directly opposite to the Doctrine of *Novatian*? *Eudemon* was Presbyter under *Nectarius*.

To *Novatianists* the Emperour gave liberty of using their Religion quietly by themselves, under a Bishop of their own, even within the City, for that they stood with the Church in defence of the Catholick faith against all other Hereticks besides. Had therefore *Eudemon* favoured their heresy, their Camps were not pitched so farre off, but he might at all times have found easie access unto them. Is there any man that lived with him and hath touched him that way? if not, why suspect we him more then *Nectarius*? Their report touching Grecian Catholick Bishops, who gave approbation to that which was done, and did also the like themselves in their own Churches, we have no reason to discredit without some manifest and cleare evidence brought against it. For of Catholick Bishops, no likelihood but that their greatest respect to *Nectarius*, a man honoured in those parts no lesse then the Bishop of Rome himselfe in the Western Churches, brought them both easily and speedily unto conformity with him: *Arrians, Eunomians, Apollinarians*, and the rest that

stood divided from the Church, held their *Penitentiaries* as before. *Novatianists* from the beginning had never any, because their opinion touching penitency was against the practise of the Church therein, and a cause why they severed themselves from the Church; so that the very state of things as they then stood, giveth great shew of probability to his speech, who hath affirmed, that *they only which held the sonne consubstantiall with the Father, and Novatianists which joyned with them in the same opinion, had no Penitentiaries in their Churches, the rest retained them.* By this it appeareth therefore how *Baronius* finding the relation plain, that *Nectarius* did abolish even those private secret confessions which the people had been before accustomed to make to him, that was *Penitentiary*, laboureth what he may to discredit the Authors of the report, and to leave it imprinted in mens minds, that whereas *Nectarius* did but abrogate publike confession, *Novatianists* have maliciously forged the abolition of private, as if the odds between these two were so great in the ballance of their judgement, which equally hated and contemned both; or, as if it were not more clear then light that the first alteration which established *Penitentiaries*, took away the burthen of publike confession in that kinde of penitents, and therefore the second must either abrogate private, or nothing.

Cardinall Bellarmine therefore finding that against the Writers of the History, it is but in vaine to stand upon so doubtfull terms, and exceptions, endeavoureth mightly to prove even by their report, no other confession taken away then publike which *Penitentiaries*

ries used in private to impose upon publike offenders; For why? It is (saith he) very certaine that the name of Penitents in the Fathers writings signifieth only publike penitents; certain, that to heare the confessions of the rest was more then one could possibly have done; certaine, that Sozomen, to shew how the Latin Church retained in his time what the Greek had clean cast of, declareth the whole order of publike penitency used in the Church of Rome, but of private he maketh no mention. And in these considerations Bellarmine will have it the meaning both of Socrates and Sozomen, that the former Episcopall constitution, which first did erect Penitentiaries, could not concern any other offenders, then such as publikely had sinned after Baptisme. That only they, were prohibited to come to the holy Communion, except they did first in secret confesse all their sinnes to the Penitentie, by his appointment 'openly acknowledge their open crimes and doe publike penance for them: that whereas before Novatians uprising, no man was constrainable to confesse publikely any sinne, this Canon enforced publike offenders thereunto, till such time as Nestorius thought good to extinguish the practice thereof.

Let us examine therefore these subtile and fine conjectures, whether they be able to hold the touch, It seemed good (saith Socrates) to put down the Office of these Priests which had charge of Penitency; what charge that was, the kinds of penitency then usuall must make manifest. There is often speech in the Fathers Writings, in their Books frequent mention of Penitency, exercised within the chambers of our heart and seen of God, and not communicated to any other,

the whole charge of which penitency is imposed of God, and doth rest upon the sinner himselfe. But if Penitents in secret being guilty of crimes whereby they knew they had made themselves unfit guests for the Table of our Lord, did seek direction for their better performance of that which should set them cleare; it was in this case the *Penitentiaries* office to take their confessions, to advise them the best way he could for their souls good, to admonish them, to counsell them, but not to lay upon them more then private penance. As for notorious wicked persons, whose crimes were known, to convict, judge and punish them, was the office of the Ecclesiasticall Consistory; *Penitentiaries* had their Institution to another end: But unlesse we imagine that the ancient time knew no other repentance then publick, or that they had little occasion to speak of any other repentance, or else that in speaking thereof they used continually some other name, and not the name of repentance, whereby to expresse private penitency, how standeth it with reason that whensoever they write of Penitents, it should be thought they meant only publick Penitents? The truth is, they handle all three kinds, but private and voluntary repentance much oftner, as being of farre more generall use, whereas publike was but incident unto few, and not oftner then once incident unto any. Howbeit, because they doe not distinguish one kind of penitency from another by difference of names, our safest way for construction, is to follow circumstance of matter, which in this Narration will not yeeld it selfe applyable only unto publike penance, doe what they

they can, that would so expound it.

They boldly and confidently affirm that no man being compellable to confesse publikely any sinne, before *Novatians* time, the end of instituting *Penitentiaries* afterward in the Church, was that by them, men might be constrained unto publick confession. Is there any record in the world which doth testifie this to be true? There is that testifyeth the plaine contrary. For *Sozomen* declaring purposely the cause of their Institution, saith, *that whereas men openly craving pardon at God's hands (for publick confession the last act of Penitency was alwayes made in the forme of a contrite prayer unto God,) it could not be avoyded but they must withall confesse what their offences were;* This in the opinion of their Prelate seemed, from the first beginning (as we may probably think) to be somewhat burthensome, that men whose crimes were unknown, should blaze their own faults, as it were on the Stage, acquainting all the people with whatsoever they had done amisse. And therefore to remedy this inconvenience, they laid the charge upon one only Priest, chosen out of such as were of best conversation, a silent and a discreet man, to whom they which had offended, might resort and lay open their lives. He according to the quality of every ones transgressions, appointed what they should doe or suffer, and left them to execute it upon themselves. Can we wish a more direct and evident testimony, that the office here spoken of, was to ease voluntary penitents from the burthen of publike confessions, and not to constraine notorious offenders thereunto? That such offenders were not compellable

*Fab. Decret.
Ep. 2. Tom. 3.
Conc. p. 358.*

ble to open confessions till *Novatians* time, that is to say, till after the dayes of persecution under *Decius* the Emperour, they of all men should not so peremptorily avouch; which whom, if *Fabian* Bishop of *Rome*, who suffered Martyrdome the first yeare of *Decius*, be of any authority and credit, it must enforce them to reverse their sentence, his words are so plaine and clear against them, *For such as commit those crimes, whereof the Apostle hath said, They that doe them shall never inherite the Kingdome of heaven, must (saith he) be forced unto amendment, because they slip down to hell, if Ecclesiasticall Authority stay them not.* Their conceit of impossibility, that one man should suffice to take the generall charge of penitency in such a Church as *Constantinople*, hath risen from a meer erroneous supposall, that the Ancient manner of private confession was like the shrift at this day usuall in the Church of *Rome*, which tyeth all men at one certain time to make confession, whereas confession was then neither looked for till men did offer it, nor offered for the most part by any other, then such as were guilty of hainous transgressions, nor to them any time appointed for that purpose. Finally, the drift which *Sozomen* had in relating the Discipline of *Rome*, and the forme of publike penitency there retained even till his time, is not to signify that only publike confession was abrogated by *Nestarius*, but that the West or Latin Church held still one and the same order from the very beginning, and had not, as the Greek, first cut of publike voluntary confession, by ordaining, and then private by removing *Penitentiaries*. Wherefore to conclude, it standeth

I hope very plain and clear, first against the one Cardinall, that *Nectarius* did truly abrogate confession in such sort as the Ecclesiasticall History hath reported; and secondly, as clear against them both, that it was not publike confession only which *Nectarius* did abolish.

The paradox in maintenance whereof *Hessels* wrote purposely a book touching this Argument to shew that *Nectarius* did but put the *Penitentiary* from his office, and not take away the office it selfe, is repugnant to the whole advice which *Eudemon* gave, of leaving the people from that time forward to their own consciences, repugnant to the conference between *Socrates* and *Eudemon*, wherein complaint is made of some inconvenience which the want of the office would breed; finally, repugnant to that which the History declareth concerning other Churches which did as *Nectarius* had done before them, not in deposing the same man (for that was impossible) but in removing the same office out of their Churches, which *Nectarius* had banished from his. For which cause *Bellarmin.* doth well reject the opinion of *Hessels*, howsoever it please *Pamelius* to admire it as a wonderfull happy invention. But in sum, they are all gravelled, no one of them able to goe smoothly away and to satisfie either others, or himselfe, with his own conceit concerning *Nectarius*.

Onely in this they are stiffe, that Auricular confession *Nectarius* did not abrogate, least if so much should be acknowledged, it might enforce them to grant that the Greek Church at that time held not confession, as the Latin now doth, to be the part of a Sacrament instituted by our Saviour Jesus Christ,

H

which

Nec est quod sibi blandiantur illi de facto Nectarii cum id potius secretorum peccatorum confessionem comprobet, & non aliud quam Presbyterum penitentialem illo officio suo moverit, uti amplissime deducit D. Iões Hasselius Pamel. in Cypr. lib. de annor. 98. & in lib. Tertul. de poen. annor. 1.

which therefore the Church till the worlds end hath no power to alter. Yet seeing that as long as publike voluntary confession of private crimes did continue in either Church (as in the one it remained not much above 200 years, in the other about 400) the only acts of such repentance were; first, the offenders intimation of those crimes to some one Presbyter, for which imposition of penance was sought; secondly, the undertaking of penance imposed by the Bishop; thirdly, after the same performed and ended, open confession to God in the hearing of the whole Church; whereupon fourthly, ensued the prayer of the Church; fifthly, then the Bishops imposition of hands; and so sixthly, the parties reconciliation or restitution to his former right in the holy Sacrament. I would gladly know of them which make only private confession a part of their Sacrament of penance, how it could be so in those times: For where the Sacrament of penance is ministred, they hold that confession to be Sacramentall which he receiveth who must absolve; whereas during the fore-rehearsed manner of penance, it can nowhere be shewed, that the Priest to whom secret information was given, did reconcile, or absolve any: for, how could he, when publike confession was to goe before reconciliation, and reconciliation likewise in publike thereupon to ensue? so that if they did account any confession Sacramentall, it was surely publike, which is now abolisht in the Church of *Rome*; and as for that which the Church of *Rome* doth so esteeme, the Ancient neither had it in such estimation, nor thought it to be of so absolute necessity for the taking away of sinne: But (for any thing that I could ever observe

out of them) although not onely in crimes open and notorious, which made men unworthy and uncapable of holy mysteries, their Discipline required, first publike penance, and then granted that which S. Hierom mentioneth, saying, *The Priest layeth his hand upon the penitent, and by invocation intreateth that the holy Ghost may return to him again, and so after having enjoyned solemnly all the people to pray for him, reconcileth to the Altar him who was delivered to Satan for the destruction of his flesh, that his spirit might be safe in the day of the Lord.* Although I say not only in such offences being famously known to the world, but also if the same were committed secretly, it was the custome of those times, both that private intimation should be given, and publike confession made thereof, in which respect whereas all men did willingly the one, but would as willingly have withdrawn themselves from the other, had they known how: *Is it tolerable, (saith S. Ambrose) that to sue to God thou shouldst be ashamed, which blushest not to seek and sue unto man? Should it grieve thee to be a suppliant to him from whom thou canst not possible hide thy selfe, when to open thy sins to him, from whom, if thou wouldst, thou mightest conceal them, it doth not any thing at all trouble thee? This thou art loth to doe in the Church, where all being sinners, nothing is more opprobrious indeed then concealment of sinne, the most humble the best thought of, and the lowliest accounted the justest.* All this notwithstanding, wee should doe them very great wrong, to father any such opinion upon them, as if they did teach it a thing impossible for any sinner to reconcile himself unto God, without confession unto the Priest.

H 2

Would

Sacerdos imponit manum subiecto, reditum spiritus sancti invocatur, atque ita eum qui traditus fuerat Sathane in interitum carnis, ut spiritus salvus fieret, indicta in populum oratione altari reconciliatur. Hier. advers. Lucif.

Ambros. de poen. l. 2. c. 10.

Chryst. hom. Would Chrysostome thus perswaded have said, Let
 οὐ μετανοίας the enquiry and punishment of thy offences be made in
 ἢ ἐξομολογῇ thine own thoughts, let the Tribunall whereat thou ar-
 σεις παρὰ τοῖς raigest thy selfe be without witnesse, Let God and only
 λογισμοῖς γινέ- God seethee and thy confession.
 σαι τῷ πλημ-
 μεληθέντων ἢ ἐξέτασις ἀμάρτυρον ἔστω τὸ δικαστήριον, ὃ Θεὸς ὁρᾷ μόνον ἐξομολό-
 γούμενον.

*Cassian. Col-
 lat. 20. c. 8.*

Would Cassianus so beleaving have given counsell,
 That if any were with-held with bashfulnesse from dis-
 covering their faults to men, they should be so much the
 more instant and constant in opening them by supplica-
 tion to God himselfe, whose wont is to help without publi-
 cation of men's shame, and not to upbraid them when he
 pardoneth?

*Prosper. de
 vita contempl
 lib. 1. c. 7.*

Finally, would Prosper settled in this opinion have
 made it, as touching reconciliation to God, a matter
 indifferent, whether men of Ecclesiasticall order did detect
 their crimes by confession, or leaving the world ignorant
 thereof, would separate voluntarily themselves for a time
 from the Altar, though not in affection, yet in execution
 of their Ministry, and so bewaile their corrupt life?
 would he have willed them as he doth, to make bold of it,
 that the favour of God being either way recovered by
 fruits of forcible repentance, they should not only receive
 whatsoever they had lost by sinne, but also after this their
 new enfranchisement, aspire to the endlesse joyes of the
 supernall City? To conclude, we everywhere finde
 the use of confession, especially publike, allowed of
 and commended by the Fathers, but that extream and
 rigorous necessity of Auricular and private confes-
 sion, which is at this day so mightily upheld by the
 Church of Rome, we finde not. First, it was not then

the

the faith and Doctrine of God's Church, as of the Papacy at this present. Secondly, That the only remedy for sinne after Baptism, is Sacramentall penitency. Thirdly, That confession in secret is an essentiall part thereof. Fourthly, That God himselfe cannot now forgive sinne without the Priest. That because forgivenesse at the hands of the Priest must arise from confession in the offenders; therefore to confesse unto him, is a matter of such necessity, as being not either in deed, or at the least in desire performed, excludeth utterly from all pardon, and must consequently in Scripture be commanded, wheresoever any promise of forgivenesse is made. No, no; these opinions have youth in their countenance, Antiquity knew them not, it never thought nor dreamed of them.

But to let passe the Papacy. For as much as Repentance doth import alteration within the minde of a sinfull man, whereby through the power of God's most gracious and blessed Spirit, he seeth, and with unfained sorrow acknowledgeth former offences committed against God, hath them in utter detestation, seeketh pardon for them in such sort as a Christian should doe, and with a resolute purpose setteth himselfe to avoid them, leading as neare as God shall assist him for ever after an unspotted life; and in the order (which Christian Religion hath taught for procurement of God's mercy towards sinners) confession is acknowledged a principall duty; yea, in some cases, confession to man, not to God only; it is not in reformed Churches denied by the Learned sort of Divines, but that

Calv. Instit.
lib. 3. cap. 4.
§ 7.

even this confession, cleared from all errors, is both lawfull and behovesfull for God's people.

Confession by man being either private or publike, private confession to the Minister alone touching secret crimes, or absolution thereupon ensuing, as the one, so the other is neither practised by the French Discipline, nor used in any of those Churches, which have bin cast by the French mould. Open confession to be made in the face of the whole Congregation by notorious malefactors, they hold necessary; howbeit not necessary towards the remission of sins: But only in some sort to content the Church, and that one man's repentance may seeme to strengthen many, which before have been weakened by one mans fall.

*Sed tantum ut
Ecc'esia sit ali-
qua ratione sa-
tisfactum, &
omnes unius
penitentia com-
firmentur, qui
suerant unius
peccatis & scan-
dalis vulnerati.
Sadecl. in Psa.
32. v. 5.*

Saxonians and *Bohemians* in their Discipline con-
straine no man to open confession: Their Doctrin
is, that whose faults have been publike and thereby
scandalous unto the world, such when God giveth
them the spirit of repentance, ought as solemnly to
return, as they have openly gone astray. First, for
the better testimony of their own unfained conversion
unto God. Secondly, the more to notifie their re-
concilement unto the Church: And lastly, that others
may make benefit of their example.

*Harm. Confess.
Sect. 8. ex 5. cap.
confess. Bohem.*

But concerning confession in private, the Churches
of *Germany*, as well the rest, as *Lutherans* agree, that
all men should at certain times confesse their offence
to God in the hearing of Gods Ministers, thereby to
shew how their sinnes displease them, to receive in-
struction for the warier carriage of themselves here-
after, to be soundly resolved, if any scruple or snare

of conscience doe entangle their minds, and which is most materiall, to the end that men may at God's hands seek every one his owne particular pardon, through the power of those Keyes, which the Minister of God using according to our blessed Saviours Institution in that case, it is their part to accept the benefit thereof as God's most mercifull Ordinance for their good, and without any distrust or doubt, to embrace joyfully his grace so given them, according to the word of our Lord, which hath said, *Whose sinnes yee remit are remitted.* So that grounding upon this assured beliefe, they are to rest with minds encouraged and perswaded concerning the forgiveness of all their sinnes, as out of Christ's own word and power by the Ministry of the Keyes.

Cap. 5. Confess.
Bohem.

It standeth with us in the Church of *England*, as touching publike confession thus :

First, seeing day by day we in our Church begin our publike Prayers to Almighty God, with publike acknowledgement of our sinnes, in which confession every man prostrate as it were before his glorious Majesty, cryeth against himselfe, and the Minister with one sentence pronounceth universally all clear, whose acknowledgement so made hath proceeded from a true penitent minde; what reason is there, every man should not under the generall termes of confession represent to himself his own particulars whatsoever, and adjoyning thereunto that affection which a contrite spirit worketh, embrace to as full effect the words of Divine grace, as if the same were severally and particular uttered with addition of prayers, imposition of hands, or all the ceremonies and

and solemnities that might be used for the strengthening of mens affiance in God's peculiar mercy towards them? Such complements are helps to support our weaknesse, and not causes that serve to procure or produce his gifts. If with us there be truth in the inward parts, as *Dauids* speaketh, the difference of generall and particular Forms in confession and absolution is not so materiall, that any mans safety or ghostly good should depend upon it. And for private confession and absolution, it standeth thus with us.

As for private confession, abuses and errors set apart, we condemn it not, but leave it at liberty. *Jewel defen. part. 156.*

The Ministers power to absolve is publikely taught and professed, the Church not denied to have authority either of abridging, or enlarging the use and exercise of that power; upon the people no such necessity imposed of opening their transgressions unto men, as if remission of sinnes otherwise were impossible, neither any such opinion had of the thing itself, as though it were either unlawfull or unprofitable, saving onely for these inconveniences, which the world hath by experience observed in it heretofore. And in regard thereof, the Church of *England* hitherto hath thought it the safer way to refer mens hidden crimes unto God and themselves only; howbeit not without speciall caution for the admonition of such as come to the holy Sacrament, and for the comfort of such as are ready to depart the world. First, because there are but few that consider how much that part of Divine Service which consists in partaking the holy Eucharist doth import their souls, what they loose by neglect thereof, and what by devout practise they might attaine unto, therefore least carelesnesse

carelesse of generall confession should as commonly it doth extinguish all remorse of mens particular enormous crimes. Our custome (whensoever men present themselves at the Lords Table) is solemnly to give themselves fearefull admonition, what woes are perpendicularly hanging over the heads of such as dare adventure to put forth their unworthy hands to those admirable mysteries of life, which have by rare examples been proved conduits of irremediable death to impenitent Receivers, whom therefore as we repell being known, so being not known we can but terrifie. Yet with us, the Ministers of God's most holy Word and Sacraments, being all put in trust with the custody and dispensation of those mysteries, wherein our Communion is and hath been ever accounted the highest grace that men on earth are admitted unto, have therefore all equally the same power to withhold that sacred mysticall food from notorious evill livers, from such as have any way wronged their neighbours, and from parties between whom there doth open hatred and malice appeare, till the first sort have reformed their wicked lives, the second recompensed them unto whom they were injurious, and the last condescended unto some course of Christian reconciliation, whereupon their mutual accord may ensue. In which cases for the first branch of wicked life, and the last, which is open enmity, there can arise no great difficulty about the exercise of his power: In the second, concerning wrongs, there may if men shall presume to define or measure injuies, according to their own conceits, depraved oftentimes, as well by error, as partiality, and

that no lesse in the Minister himselfe, then in any other of the people under him.

The knowledge therefore which hee taketh of wrongs must rise as it doth in the other two, not

Nos à communione quemquam prohibere non possumus, quamvis hæc prohibitio nondum sit mortalis, sed medicinalis, nisi aut sponte confessum, aut aliquo sive seculari, sive Ecclesiastico iudicio accusatum atq; convictum. Quis enim sibi utrumq; audet assumere ut cuiquam ipse sit & accusator & iudex?

from his own opinion or conscience, but from the evidence of the fact which is committed; yea, from such evidence as neither doth admit deniall nor defence.

For if the offender having either colour of Law to uphold, or

any other pretence to excuse his own uncharitable and wrongfull dealings, shall wilfully stand in defence thereof, it serveth as a barre to the power of the Minister in this kind. Because (as it is observed by men of very good judgement in these affaires,) although in this sort our separating of them be not to strike them with the mortall wound of Excommunication, but to stay them rather from running desperately headlong into their own harm, yet it is not in us, to sever from the holy Communion, but such as are either found culpable by their own confession or have been convicted in some publike, secular, Ec-

Non enim temere & quodammodo libet, sed propter iudicium ab Ecclesie communione separandi sunt mali, ut si propter iudicium auferri non possint, tolerantur potius, velut palea cum tritico. Multi corriguntur, ut Petrus; multi tolerantur, ut Iudas; multi nesciuntur, donec veniat Dominus, & illuminabit abscondita tenebrarum. Rhenan, admonit. de dogmat. Tertul.

clesiasticall Court. For, who is he that dares take upon him to be any man's both accuser and judge? Evill persons are not rashly, and as we list to be thrust from Communion with the Church, in so much that if we cannot proceed

against them by any orderly course of judgement, they rather are to be suffered for the time then molested.

Many

Many there are reclaimed, as *Peter*; many as *Iudas* known well enough, and yet tolerated; many which must remaine undescried till the day of his appearance, by whom the secret corners of draknesse shall be brought into open light.

Leaving therefore unto his judgement, them, whom we cannot stay from casting their own soules into so great hazard, we have in the other part of penitentiall Jurisdiction in our power, and Authority to release sinne, joy on all sides, without trouble or molestation unto any. And if to give, be a thing more blessed then to receive, are we not infinitely happier in being authorized to bestow the Treasure of God, then when necessity doth constraîne to with-draw the same.

They which during life and health are never destitute of wayes to delude repentance, doe notwithstanding oftentimes when their last hour draweth on; both feel that sting which before lay dead in them, and also thirst after such helps as have been alwayes till then unfavoury; *S. Ambrose* words touching late repentance are somewhat hard, *If a man bee penitent and receive absolution (which cannot in that case be denied him) even at the very point of death, and so depart, I dare not affirm he goeth out of the world well; I will counsel no man to trust to this, because I am loth to deceive any man, seing I know not what to think of it; shall I judge such a one a cast away? Neither I will avouch him safe: All I am able to say, is, Let his estate be left to the will and pleasure of Almighty God: Wilt thou be therefore delivered of all doubt? Repent while yet thou art healthy and strong: If thou deferre it till time give no longer* Lib. 3. de penit.

longer possibility of sinning, thou canst not be thought to have left sinne, but rather sinne to have forsaken thee. Such admonitions may in their time and place be necessary, but in no wise prejudiciall to the generality of God's own high and heavenly promise, *Whensoever a sinner doth repent from the bottome of his heart, I will put out all his iniquity.* And of this, although it have pleased God not to leave to the world any multitude of examples, least the carelesse should too farre presume, yet one he hath given, and that most memorable to withhold from dispaire in the mercies of God, at what instant soever mans unfained conversion bee wrought. Yea, because to contervaile the fault of delay, there are in the latest repentance oftentimes the surest tokens of sincere dealing; therefore upon speciall confession made to the Minister of God, he presently absolveth in this case the sinner from all finnes by that Authority which Jesus Christ hath committed unto him, knowing that God respecteth not so much what time is spent, as what truth is shewed in repentance.

In summe, when the offence doth stand only be-

*Non dico tibi, ut te prodas in publicum, neque ut te apud alios accuses, sed obedi-
re te volo Prophetæ dicenti, Revela Do-
mino viam tuam. Ante Deum confitere
peccata tua; Peccata tua dicito ut ea de-
leat; Si confunderis alicui dicere quæ
peccasti, dicito ea quotidie in anima:
Non dico ut confitearis confervo qui
exprobret; Deus dicito qui ea curat;
Non necesse est præsentibus testibus con-
fiteri, solus te Deus confitentem vi-
deat. Rogo & oro ut crebrius Deo im-
mortali confiteamini, & enumeratis ve-*

tween God & mans conscience the Councell is good, which *S. Chrysostome* giveth, *I wish thee not to bewray thy selfe publikely, nor to accuse thy selfe before others. I wish thee to obey the Prophet who saith, Disclose thy way unto the Lord, confesse thy sins before him. Tell thy sins to him that he may blot them out. If thou be abashed to tel*

unto any other, wherein thou hast offended, rehearse them every day between thee and thy soule, I wish thee not to confesse them to thy fellow servant, who may upbraid thee with them; Tell them to God, who will cure them; There is no need for thee in the presence of witnesses to acknowledge them; Let God alone see thee at thy Confession; I pray and beseech you that you would more often then you doe, confesse to God eternall, and reckoning up your trespasses, desire his pardon: I cary you not into a Theatre or open Court of many your fellow servants, I seek not to detect your crimes before men; disclose your conscience before God, unfold your selves to him, Lay forth your wounds before him, the best Physitian that is, and desire of him salve for them. If hereupon it follow, as it did with David, I thought, I will confesse against my selfe my wickednesse unto thee O Lord, and thou forgavest me the plague of my sinne, we have our desire, and there remaineth only thankfulness accompanied with perpetuity of care to avoid that which being not avoided, we know we cannot remedy without new perplexity and griefe. Contrariwise, if peace with God doe not follow the paines we have taken in seeking after it, if we continue disquieted, and not delivered from anguish, mistrusting whether that we do be sufficient, it argueth that our soare doth exceed the power of our own skill, and that the wisdom of the Pastor must binde up those parts, which being bruised, are not able to be recured of themselves.

stris delictis veniam petatis. Non te in Theatrum conservorum ducō, non hominibus peccata tua conor detegere. Repete coram Deo conscientiam tuam, te explica, ostende medico præstantissimo vulnera tua, & pete ab eo medicamentum, Chryst. bo n. 31. ad Hebr. & in Psal. 59. Hom. de pœn. & confess. & hom. 5. de incor. Dei natura, homil. itemque de Lazaro.

Of Satisfaction.

T Here resteth now Satisfaction only to be considered; a point which the Fathers doe often touch, albeit they never aspire to such mysteries as the Papacy hath found, enwrapped within the folds, and plaits thereof. And it is happy for the Church of God that we have the Writings of the Fathers, to shew what their meaning was. The name of Satisfaction, as the Ancient Fathers meant it, containeth whatsoever a Penitent should doe in the humbling himselfe unto God, and testifying by deeds of contrition, the same which confession in words pretendeth; *He which by repentance for sinnes (saith Tertullian speaking of fickle minded men) had a purpose to satisfie the Lord, will now by repenting his repentance make Satan satisfaction, and be so much more hatefull to God, as he is unto God's enemy more acceptable.* Is it not plain that satisfaction doth here include the whole work of penitency, and that God is satisfied, when men are restored through sinne into favour by repentance? *How canst thou (saith Chrysostome) move God to pitty thee, when thou wilt not seeme as much as to know that thou hast offended?* By appeasing, pacifying, and moving God to pitty, S. Chrysostome meaneth the very same with the Latin Fathers, when they speak of satisfying God. *we feele (saith Cyprian,) the bitter smart of this rod & scourge, because there is in us neither care to please him with our good deeds, nor to satisfie him for our evill.* Againe, *Let the eyes which have looked on Idols sponge out their unlawfull acts with those sorrowfull teares,*

Tertul. de pœnit.

*chry. in 1 cor.
hom. 8.*

*ὁ θεὸς ἐξ
ἀεὶ ὁσίου.*

*Cypr. Ep. 8.
Cypr. Ep. 26.*

teares, which have power to satisfie God. The Master of ^{Sentent. 14.} sentences alleadgeth out of S. Augustine, that which ^{dis. 16.} is plaine enough to this purpose. Three things there are in perfect penitency, Compunction, Confession, and Satisfaction; that as we three wayes offend God, namely in heart, word, and deed; so by three duties wee may satisfie God.

Satisfaction, as a part, comprehendeth onely that which the Baptist meant by *worthy of repentance*; and if we speak of the whole work of repentance it self, we may in the phrase of antiquity term it very well satisfaction.

Satisfaction is a work which Iustice requireth to be done for contentment of persons injured: neither is it in the eye of Iustice a sufficient satisfaction, unlesse it fully equall the injury for which we satisfie. Seeing then that sinne against God Eternall and Infinite, must needs be an infinite wrong: Iustice in regard thereof doth necessarily exact an infinite recompense, or else inflict upon the offender infinite punishment. Now because God was thus to be satisfied, and man not able to make satisfaction, in such sort his unspeakable love and inclination to save mankind from eternall death ordained in our behalf a mediator to do that which had been for any other impossible: wherefore, all sinne is remitted in the onely faith of Christs passion, and no man without beliefe thereof justified; *Bonavent. in sentent. 4. dist. 15. 9. 9.* Faith alone maketh Christs satisfaction ours, howbeit that faith alone which after sinne maketh us by conversion his.

For in as much as God will have the benefit of
Christs

Christ's satisfaction, both thankfully acknowledged and duly esteemed, of all such as enjoy the same, he therefore imparteth so high a treasure unto no man whose faith hath not made him willing by repentance to doe even that which of it selfe, how unavailable soever, yet being required, and accepted with God, we are in Christ thereby made capable, and fit vessels to receive the fruits of his satisfaction: yea, we so farre please and content God, that because whē we have offended, he looketh but for repentance at our hands; our repentance and the works thereof are therefore termed satisfactory, not for that so much is thereby done as the justice of God can exact, but because such actions of griefe and humility in man after sinne, are *ilices divinae misericordiae* (as *Tertullian* speaketh of them) they draw that pittie of Gods towards us, wherein he is for Christ's sake contented upon our submission to pardon our rebellion against him; and when that little which his Law appointeth is faithfully executed, it pleaseth him in tender compassion and mercy to require no more.

Repentance is a name which noteth the habite and operation of a certain grace, or vertue in us: satisfaction, the effect which it hath, either with God or man. And it is not in this respect said amisse, that satisfaction importeth acceptation, reconciliation and amity; because that through satisfaction on the one part made, and allowed on the other, they which before did reject are now content to receive, they to be wonne againe which were lost, and they to love unto whom just cause of hatred was given. We satisfie

fie therefore in doing that which is sufficient to
 this effect, and they towards whom we doe it are satisfie
 fied, if they accept it as sufficient and require no
 more : Otherwise we satisfie not, although we doe
 satisfie : For so between man and man it often-
 times falleth out, but between man and God, never ;
 It is therefore true that our Lord Jesus Christ by
 one most precious and propitiatory sacrifice, which
 was his body, a gift of infinite worth, offered for
 the finnes of the whole world, hath thereby once
 reconciled us to God, purchased his generall free
 pardon, and turned away divine indignation from
 mankind. But we are not for that cause to think,
 any office of penitence, either needlesse or fruitlesse,
 on our own behalfe. For then would not God re-
 quire any such duties at our hands ; Christ doth re-
 maine everlastingly a gracious intercessour, even
 for every particular penitent. Let this assure us, that
 God how highly soever displeased and incensed
 with our finnes, is notwithstanding for his sake by
 our teares pacified, taking that for satisfaction, which
 is due by us, because Christ hath by his satisfaction
 made it acceptable. For, as he is the high Priest of our *Apo. 1. 6.*
 salvation, so he hath made us Priests likewise under
 him, to the end we might offer unto God praise and
 thankfulnesse while we continue in the way of life,
 and when we sinne, the satisfactory or propitiatory
 sacrifice of a broken and a contrite heart. There is *Cassia. coll. 20. c. 8.*
 not any thing that we doe that could pacifie God,
 and cleare us in his sight from sinne, if the good-
 nesse, and mercy of our Lord Jesus Christ were not,
 whereas now beholding the poore offer of our reli-
 gious

Basil. l. om. in

Psal. 37.

πάτερ & υἱός

πάτερ & υἱός

υἱός & υἱός

εἰ.

gious endeavours, meekly to submit our selves as
as often as we have offended, he regardeth with infi-
nite mercy those services which are as nothing, and
with words of comfort reviveth our afflicted minds,
saying, *It is I, even I, that take away thine iniquities
for mine own sake.* Thus doth repentance satisfie
God, changing his wrath and indignation unto
mercy.

Anger and mercy are in us, passions; but in him
not so.

Cum Dens iras-
citur, non ejus
significatur per-
turbatio qualis
est in animo iras-
centis hominis,
sed ex humanis
motibus tran-
slato vocabulo,
vindicta ejus
quæ non nisi
justa est, ire
nomen accepit.
Aug. rom. 3.
Ench. c. 33.

God (saith S. Basil) is nowayes passionate, but because
the punishments which his judgements doe inflict, are
like effects of indignation severe and grievous to such as
suffer them, therefore we terme the revenge which he
taketh upon sinners, anger; and the withdrawing of his
plagues, mercy. His wrath (saith S. Augustin) is not as
ours, the trouble of a mind disturbed and disquieted with
things amisse, but a calm, unpassionate, and just assign-
ation of dreadfull punishment to be their portion which
have disobeyed; his mercy a free determination of all feli-
city and happinesse unto men, except their sinnes remaine
as a barre between it and them. So that when God
doth cease to be angry with sinfull men, when he re-
ceiveth them into favour, when he pardoneth their
offences, and remembreth their iniquities no more,
(for all these signifie but one thing) it must needs
follow that all punishments before due in revenge
of sinne, whether they be temporall or eternall are
remitted.

For how should Gods indignation import only
mans punishment, and yet some punishment remaine
unto them towards whom there is now in God no
indignation.

indignation remaining? God (saith Tertullian) takes penitency at mens hands, and men at his in lieu thereof receive impunity; which notwithstanding doth not prejudice the chastisements which God after pardon hath laid upon some offenders, as on ^a the people of Israel, on ^b Moses, on ^c Miriam, on ^d David, either for their own ^e more sound amendement, or for ^f example unto others in this present world (for in the world to come, punishments have unto these intents no use, the dead being not in case to be betred by correction, nor to take warning by executions of Gods Justice there seen) but assuredly to whomsoever he remitteth sinne, their very pardon is in it selfe a full absolute and perfect discharge for revengfull punishment, which God doth now here threaten, but with purpose of revocation, if men repent, no where inflict but on them whom impenitency maketh obdurate.

Of the one therefore it is said, *Though I tell the wicked, Thou shalt die the death, yet if he turneth from his sin, and doe that which is lawfull and right, he shall surely live and not die.* Of the other, *Thou according to thine hardnesse, and heart that will not repent treasurest up to thy selfe wrath against the day of wrath, and evident appearance of the just judgement of God.* If God be satisfied and doe pardon sin, our justification restored is as perfect as it was at the first bestowed: For so the Prophet *Isaiah* witnesseth, *Though your sinnes were as crimson, they shall be made as white as snow, though they were as scarlet, they shall be as white as wooll.* And can we doubt concerning the punishment of revenge, which was due to sinne, but that

*Penitentia
compensatione
redimendam
proponit impu-
ritatem Deus.*

*Tertull. de
poen.*

a Num. 14. 21.

b Num. 20. 12.

c Num. 12. 14.

d 2 Sam. 12. 14.

e Cui Deus vere

propitius est non

solum condonat

peccata ne noc-

ant ad futurum

seculum, sed

etiam castigat,

ne semper pecca-

re deleat. Aug.

in Psal. 98.

f Plebuntur

quidam quo ce-

teri corrigantur;

exempla sunt

sunt omnium,

t tormenta pauco-

rum. Cypr. de

lapsis.

Ezech. 33. 14.

Rom. 2. 5.

Es. 1. 18.

*Si texit Deus
peccata, noluit
advertere, si
noluit advertere
noluit animad-
vertere.*

*Aug. de pecc.
mer. & rem.
lib. 2. c. 34.
Mirandum non
est, & mortem
corporis non fu-
isse eventuram
homini, nisi
precessisset pec-
catum, cujus
etiam talis poena
consequeretur, et
post remissionem
peccatorum eam
fidelibus eveni-*

if God be satisfied, and have forgotten his wrath, it must be even as *S. Augustine* reasoneth, *what God hath covered, he will not observe, and what he observeth not, he will not punish.* The truth of which doctrine is not to be shifted of by restraining it unto eternall punishment alone: for then would not *David* have said, *They are blessed to whom God imputeth not sinne;* blessednesse having no part or fellowship at all with malediction: whereas to be subject to revenge for sin, although the punishment be but temporall, is to be under the curse of the Law; wherefore, as one and the same fire consumeth stubble and refineth gold, so if it please God to lay punishment on them whose sinnes he hath forgiven; yet is not this done for any destructive end of waisting and eating them out, as in plagues inflicted upon the impenitent, neither is the punishment of the one as of the other proportioned by the greatnesse of sinne past, but according to that future purpose, whereunto the goodnesse of God referreth it, and wherein there is nothing meant to the sufferer, but furtherance of all happinesse, now in grace, and hereafter in glory; *S. Augustine*, to stop the mouthes of *Pelagians*, arguing, *That if God had imposed death upon Adam and Adam's posterity, as a punishment of sinne, death should have ceased when God had procured sinners their pardon:* Answereth first, *It is no marvell, either that bodily death should not have happened to the first man, unlesse he had first sinned, (death as a punishment following his sinne) or that after sinne is forgiven, death notwithstanding befallerh the faithfull, to the end that the strength of righteousness might be exercised, by overcoming the feare thereof.* So

that

that justly God did inflict bodily death on man for committing sinne, and yet after sinne forgiven, took it not away, that his righteousness might still have whereby to bee exercised. He fortifieth this with *Dauids* example, whose sinne he forgave, and yet afflicted him for exercise and tryall of his humility. Briefly, a general axiome he hath for all such chastisements, *Before forgiveness, they are the punishment of sinners, and after forgiveness, they are exercises and tryals of righteous men.* Which kinde of proceeding is so agreeable with Gods nature and mans comfort, that it sheweth even injurious to both, if we should admit those surmised reservations of tempotall wrath, in God appeased towards reconciled sinners. As a Father he delights in his childrens conversion, neither doth he threaten the penitent with wrath, or them with punishment which already mourn; but by promise assureth such of indulgence and mercy; yea, even of plenary pardon which taketh away all both faults and penalties: There being no reason why we should think him the lesse just because he sheweth him thus mercifull, when they which before were obstinate labour to appease his wrath with the penfive meditation of contrition, the meek humility which confession expresseth, and the deeds where-with repentance declareth it selfe to be an amendment as well of the rotten fruits, as the dried leaves and withered root of the tree. For with these duties by us performed and presented unto God in heaven by *Jesus Christ*, whose blood is a continuall sacrifice of propitiation for us, we content, please, and satisfie God. Repentance therefore, even the sole vertue of

re ut ejus timore vincendo exerceretur fortitudo justitie. Sic & mortem corporis propter hoc peccatum Deus homini inflixit, & post peccatorum remissionem propter exercendam justitiam non ademit.

Ante remissionem esse illa supplicia peccatorum, post remissionem autem certamina exercitationesque justorum. Cypr. Epist. 53.

repentance without either purpose of thrift or desire of absolution from the Priest; repentance the secret conversion of the heart, in that it consisteth of these three; and doth by these three pacifie God; may be without hyperbolicall termes most truly magnified, as a recovery of the soule of man from deadly sicknesse, a restitution of glorious light to his darkned minde, a comfortable reconciliation with God, a spirituall nativity, a rising from the dead, a day spring from out the depth of obscurity, a redemption from more then the *Egyptian* thraldome, a grinding of the old *Adam*, even into dust and powder, a deliverance out of the prisons of hell, a full restauration of the Seat of Grace and Throne of Glory, a triumph over sinne, and a saving Victory.

Amongst the works of satisfaction, the most respected have been alwayes these three, Prayers, Fasts, and Almes deeds; by prayers, we lift up our soules to him from whom sinne and iniquity had withdrawn them; by fasting, we reduce the body from thraldome under vaine delights, and make it serviceable for parts of vertuous conversation; by Almes, we dedicate to charity those wordly goods and possessions, which unrighteousnesse doth neither get, nor bestow well: The first, a token of pittie intended towards God; the second, a pledge of moderation and sobriety in the carriage of our own persons; the last, a testimony of our meaning to doe good to all men. In which three, the Apostle by way of abridgement comprehendeth whatsoever may appertaine to sanctimony, holinesse, and good life: as contrariwise the very
masse

masse of generall corruption throughout the world, what is it but only forgetfulnesse of God, carnall pleasure, immoderate desire after worldly things, prophannesse, licentiousnesse, covetousnesse? All offices of repentance have these two properties; there is in performance of them painfulnesse, and in their nature a contrariety unto sinne. The one consideration, causeth them both in holy Scripture and elsewhere to be termed judgement or revenges taken voluntarily on our selves, and to be furthermore also preservatives from future evils, in as much we commonly use to keep with the greater care that which with pain we have recovered. And they are in the other respect contrary to sinne committed, contrition, contrary to the pleasure; confession, to the errour, which is mother of sinne, and to the deeds of sinne, the works of satisfaction contrary; therefore they are the more effectually to cure the evill habite thereof: Hereunto it was that S. Cyprian referred his earnest and vehement exhortations, *That they which had fallen, should be instant in prayer, reject bodily ornaments, when once they had stripped themselves out of Christ's attire, abhorre all food after Satans morsels tasted, follow works of righteousness, which wash away sinne, and be plentiful in almes deeds wherewith soules are delivered from death: Not, as if God did according to the manner of corrupt Iudges, take some money to abate so much in the punishment of Malefactors. These duties must be offered (saith Salvianus) not in confidence to redeeme or buy out sinne, but as tokens of meek submission; neither are they with God accepted, because of their value, but for the affections sake, which doth thereby shew it selfe.*

2 Cor 7. 11.

Γάρ ἡμεῖς αὐ-

τῶν δίκην λα-

βωμεν, ἡμεῶν

αὐτῶν κατὰ

τοῦ νόμου

ἕως ἐξελθεῖν

σώματα καὶ χρί-

την.

Chyst. hom. 30.

in Ep. ad Heb.

Cyp. de lapsis

Salv. ad Eccl.

Cath. lib. 1.

selfe. Wherefore concerning satisfaction made to God by Christ only, and of the manner how repentance generally, particularly also, how certaine speciall works of penitency, both are by the Fathers in their ordinary phrase of speech called satisfactory, and may be by us very well so acknowledged, enough hath been spoken.

Our offences sometime are of such nature as requireth that particular men bee satisfied, or else repentance to be utterly void, and of none effect. For, if either through open repine or cloaked fraud, if through injurious, or unconscionable dealing a man have wittingly wronged others to enrich himselfe, the first thing evermore in this case required (ability serving) is restitution. For let no man deceive himselfe, from such offences we are not discharged, neither can be, till recompence and restitution to man, accompany the penitent confession we have made to Almighty God. In which case the Law of Moses was direct and plaine, *If any sinne and commit a trespassse against the Lord, and deny unto his neighbours that which was given him to keep, or that which was put unto him of trust, or doth by robbery, or by violence oppresse his neighbour, or hath found that which was lost, and denyeth it, and sweare falsely, for any of these things that a man doth wherein he sinneth, he that doth thus offend and trespassse, shall restore the robbery that he hath taken, or the thing he hath gotten by violence, or that which was delivered him to keep, or the lost thing which he found; and for whatsoever he hath sworn falsely; adding perjury to injury, he shall both restore the whole sum and shall add therunto a fift part more, and deliver it unto him, unto whom*

Levit. 6. 2.

whom it belongeth, the same day wherein he offereth for his trespasse. Now because men are commonly over-slack to perform this duty, and doe therefore deferre it sometime, till God have taken the party wronged out of the world, the Law providing that trespassers might not under such pretence gaine the restitution which they ought to make, appointeth the kindred surviving to receive what the dead should, if they had continued. But (saith Moses) if the party wronged have no kinsman to whom this damage may be restored, it shall then be rendred to the Lord himself for the Priests use. Numb. 5. 8. The whole order of proceeding herein is in sundry traditionall writings set down by their great Interpreters and Scribes, which taught them that a trespasse between a man and his neighbour, can never be forgiven till the offender have by restitution made recompence for wrongs done; yea, they hold it necessary that he appease the party grieved by submitting himselfe unto him, or, if that will not serve, by using the help and mediation of others; in this case (say they) for any man to shew himself unappeasable and cruell, were a sinne most grievous, considering that the people of God should be easie to relent, as Joseph was towards his brethren; finally, if so it fall out that the death of him which was injured, prevent his submission which did offend, let him then (for so they determine that he ought) goe accompanied with ten others unto the Sepulchre of the dead, and there make confession of the fault, saying, *I have sinned against the Lord God of Israel, and against this man, to whom I have done such or such injury; and if money be due, let it be restored to his heires, or in case he have*

L

none

*Quandiu enim
res propter
quam peccatum
est, non reddi-
tur, si reddi po-
test, non agitur
penitentia sed
fingitur. Sent.
4. d. 15.*

Cyp. Epl 52.

none known, leave it with the house of judgement. That is to say, with the Senators, Ancients and Guides of *Israel*; we hold not Christian people tyed unto Jewish orders, for the manner of restitution; but surely restitution, we must hold necessary as well in our own repentance as theirs, for sins of wilfull oppression and wrong.

Now although it suffices, that the offices wherewith we pacifie God or private men, be secretly done; yet in cases where the Church must be also satisfied, it was not to this end & purpose unnecessary, that the ancient Discipline did farther require outward signes of contrition to be shewed, confession of sins to be made openly, and those works to be apparent which served as testimonies for conversion before men. Wherein, if either hypocrisie did at any time delude their judgement, they knew, that God is he whom masks and mockeries cannot blind, that he which seeth mens hearts would judge them according unto his own evidence, and as Lord, correct the sentence of his servants, concerning matters beyond their reach; Or if such as ought to have kept the rules of Canonically satisfaction, would by sinister meanes and practices undermine the same, obtruding presumptuously themselves to the participation of Christs most sacred mysteries, before they were orderly readmitted thereunto, the Church for contempt of holy things, held them incapable of that grace, which God in the Sacrament doth impart to devout Communicants; and no doubt but he himselfe did retaine bound, whom the Church in those cases refused to loose.

The

The Fathers, as may appeare by sundry Decrees and Canons of the Primitive Church, were (in matter specially of publike scandall) provident that too much facility of pardoning might not be shewed. *He that casteth of his lawful wife (saith S. Basil) & doth take another, is adjudged an adulterer by the verdict of our Lord himself; and by our Fathers it is Canonically ordained, that such for the space of a year shall mourn, for two years space bear, three yeares be prostrate, the seventh year assemble with the faithfull in prayer, and after that be admitted to communicate, if with teares they bewaile their fault.*

Basil. Ep. ad
Amphil. c. 76.

Of them which had fallen from their faith in the time of Emperour *Licinius*, and were not thereunto forced by any extreme usage, the *Nicen Synod*, under *Constantine* ordained, That earnestly repenting, they should continue three yeares Hearers, seven years be prostrate, and two yeares communicate with the people in prayer, before they came to receive the oblation. Which rigor sometimes they tempered neverthelesse with lenity, the selfe same Synod having likewise defined, That whatsoever the cause were, any man desirous at the time of departure out of this life to receive the Eucharist (with Examination and tryall) have it granted him by the Bishop. Yea, besides this case of speciall commiseration, there is a Canon more large which giveth alwayes liberty to abridge, or extend out the time, as the parties meek, or sturdy disposition should require.

Concil. Nycen.
can. 11.

Καθόλου καὶ πᾶσι
πάντες ἐξοδεύ-
οντες αὐτο-
ῶν μετὰ
χαρὸς εὐχα-
ριστίας, ὁ δὲ
σκοπὸς ἐστὶ
δοκιμασίας
μεταδιδότω
ἡ προσφορὰς.
Cant. 13.

By meanes of which Discipline, the Church having power to hold them many years in suspence, there was bred in the mindes of the penitents, a thorough long and daily practice of submission, a

ἐστὶν ἡ δοκιμα-
σία ἡ ἰδίᾳ μα-
νηρὶς ἰουδαι-
σμοῦ ἡ
deprehensa pec-
catoris seria
conversione ad
Deum.
Cant. 12.

contrary habite unto that which before had bin their ruine, and for ever afterwards warinesse not to fall into those snares, out of which they knew they could not easily winde themselves. Notwithstanding, because there was likewise hope, and possibility of shortning the time, this made them in all the parts and offices of their repentance the more fervent. In the first station, while they only beheld others passing towards the Temple of God, whereunto for themselves to approach, it was not lawfull, they stood as miserable forlorn men, the very patterns of perplexity and woe. In the second, when they had the favour to wait at the doores of God, where the sound of his comfortable word might be heard, none received it with attention like to theirs: thirdly, being taken and admitted to the next degree of prostrates, at the feet, yet behind the back of that Angel representing God, whom the rest saw face to face; their teares, and entreaties both of Pastor and People were such as no man could resist. After the fourth step which gave them liberty to heare and pray with the rest of the people, being so near the haven, no diligence was then slackt which might hasten admission to the heavenly Table of Christ their last desire. It is not therefore a thing to be marvelled at, though *S. Cyprian* took it in very ill part, when open backsliders from the faith & sacred Religion of Christ, laboured by sinister practice to procure from imprisoned Saints, those requests for present absolution, which the Church could neither yeeld unto with safety of Discipline, nor in honour of martyrdom easily deny. For, what would thereby ensue, they needed not

not to conjecture, when they saw how every man which came so commended to the Church by letters, thought that now he needed not to crave, but might challenge of duty his peace; taking the matter very highly, if but any little forbearance, or small delay was used. *He which is overthrown* (saith Cyprian) *laccens stantibus,* *& integris vul-* *menaceth them that stand, the wounded them that were ne-* *neralibus mina-* *ver toucht; and because presently he hath not the body of* *tur.* *our Lord, in his foule imbrued hands, nor the blood with-* *in his polluted lips, the miscreant fumeth at Gods Priests;* *Such is thy madnesse, O thou furious man; thou art an-* *gry with him, which laboureth to turn away Gods anger* *Ex. 12. 31.* *from thee; him thou threatnest which sueth unto God for* *Ier. 7. 15.* *grace, and mercy on thy behalfe.* *Ezech. 14. 14.*

Touching Martyrs, he answereth, *That it ought not in this case to seeme offensive, though they were denied, seeing God did himselfe refuse to yeeld to the piety of his own righteous Saints, making suite for obdurate Iewes.*

As for the parties in whose behalfe such shifts were used, to have their desire, was in very truth, a way to make them the more guilty: Such peace granted contrary to the rigour of the Gospel, contrary to the Law of our Lord and God, doth but under colour of mercifull relaxation deceive sinners, and by soft handling destroy them, a grace dangerous for the giver; and to him which receiveth it, nothing at all available. The patient expectation that bringeth health, is by this meanes not regarded; recovery of soundnesse not sought for by the only medicine available, which is satisfaction, penitency thrown out of mens hearts, the remembrance of that heaviest and last judgement clean banisht; the wounds of

1 Cor. 11:27.

dying men, which should be healed, are covered; the stroke of death, which hath gone as deep as any bowels are to receive it, is overcast with the slight shew of a cloudy look. From the altar of Satan to the holy of the Lord, men are not afraid to come even belching in a manner the sacrificed morsels they have eaten, yea, their jaws yet breathing out the irksome savour of their former contagious wickednesse, they seize upon the blessed body of our Lord, nothing terrified with that dreadfull commination, which saith, *Whosoever eateth and drinketh unworthily, is guilty of the body and blood of Christ.* They vainly think it to be peace which is gotten before they be purged of their faults, before their crime be solemnly confest, before their conscience be cleared by the sacrifice and imposition of the Priests hands, and before they have pacified the indignation of God. Why terme they that a favour which is an injury? wherefore cloke they impiety with the name of charitable indulgence? Such facility giveth not, but rather taketh away peace; and is it self another fresh persecution or tryall, whereby that fraudulent enemy maketh a seeret havock of such as before he had overthrown; and now to the end he may clean swallow them, he casteth sorrow in a dead sleep, putterh grief to silence, wipeth away the memory of faults newly done, smothereth the sighs that should rise from a contrite spirit, dryeth up eyes, which ought to send forth rivers of teares, and permitteth not God to be pacified with full repentance, whom heinous and enormous crimes have displeased.

By this then we see that in S. Cyprians judgement
all

all absolutions are voyd, frustrate and of no effect, without sufficient repentance first shewed; whereas contrariwise, if true and full satisfaction have gone before, the sentence of man here given is ratified of God in heaven, according to our Saviours own sacred testimony, *whose sinnes yee remit, they are remitted.*

Py what works in the vertue, and by what in the discipline of repentance, we are said to satisfie either God or men, cannot now be thought obscure; As for the Inventors of Sacramentall satisfaction, they have both altered the naturall order heretofore kept in the Church, by bringing in a strang preposterous course, to absolve before satisfaction be made, and moreover by this their misordered practice, are grown into sundry errors concerning the end whereunto it is referred.

The end of satisfaction.

They imagine beyond all conceit of Antiquity, that when God doth remit sinne, and the punishment eternall thereunto belonging, he reserveth the torments of hell fire to bee neverthelesse endured for a time, either shorter or longer, according to the quality of mens crimes. Yet so that there is between God and man, a certaine composition (as it were) or contract, by vertue whereof works assigned by the Priest to be done after absolution shall satisfie God, as touching the punishment which hee otherwise would inflict for sinne pardoned and forgiven.

Now because they cannot assure any man, that if he performeth what the Priest appointeth, it shall suffice; this (I say) because they cannot doe, in as much

The way of satisfying by others.

much as the Priest hath no power to determine or define of equivalency between sinnes and satisfactions; and yet if a Penitent depart this life, the debt of satisfaction being either in whole or in part undischarged, they stedfastly hold, that the soul must remaine in unspeakable torment till all be paid; therefore for help and mitigation in this case, they advise men to set certaine copes-mates on work, whose prayers and sacrifices may satisfie God for such souls as depart in debt. Hence have arisen the infinite pensions of their Priests, the building of so many Altars and Tombs, the enriching of Churches with so many glorious costly gifts, the bequeathing of lands, and ample possessions to Religious Companies, even with utter forgetfulness of friends, parents, wife and children, all naturall affection giving place unto that desire, which men doubtfull of their own estate, have to deliver their soules from torment after death.

Yet, behold even this being also done, how farre forth it shall availe, they are not sure; and therefore the last upshot unto all their former inventions, is, that as every action of Christ, did both merit for himself, and satisfie partly for the eternall, and partly for the temporall punishment due unto men for sinne; so his Saints have obtained the like priviledge of Grace, making every good work they doe, not only meritorious in their own behalf, but satisfactory too for the benefit of others; or if, having at any time grievously sinned, they doe more to satisfy God, then he in justice can exact, or look for at their hands, the surplusage runneth to a common stock,
out

out of which treasury, contayning whatsoever Christ did by way of Satisfaction for temporall punishment, together with the satisfactory force which resideth in all the vertuous works of Saints; and in their Satisfactiones whatsoever doth abound, (I say) *From hence they hold God satisfied for such arrerages, as men behinde in accompt discharge not by other means, and for disposition hereof, as it is their Doctrine, that Christ remitteth not eternall death without the Priests Absolution, so without the grant of the Pope, they cannot but teach it alike impossible, that Soules in Hell should receive any temporall release of pain: the Sacrament of Pardon from him being to this effect no lesse necessary, than the Priests Absolution to the other.* So that by this postern gate commeth in the whole mark of Papall Indulgences, a gain unestimable unto him, to others a spoile, a skorn both to God and Man. So many works of satisfaction pretended to be done by Christ, by Saints, and Martyrs; so many vertuous acts possessed with satisfactory force and vertue; so many supererogations in satisfying beyond the exigence of their own necessitie; and this that the Pope might make a Monopolie of all, turning all to his own gain, or at least to the gain of those which are his own. Such facilitie they have to convert a pretended Sacrament into a Revenue.

Of Absolution of Penitents.

SIN is not helped but by being assecured of Pardon: It resteth therefore to be considered what warrant we have concerning Forgiveness, when the Sentence of man absolveth us from sin committed against
M God.

Mat. 9. 2.

Mark. 5. 21.

Luc. 5. 21.

God. At the words of our Saviour, saying, to the sick of the Palsy, *Sanne thy sins are forgiven thee*, Exception was taken by the Scribes, who secretly reasoned against him, *Is any able to forgive sins, but onely God?* Whereupon they condemned his speech as blasphemy, The rest which believed him to bee a Prophet sent from God, saw no cause wherefore he might not as lawfully say, and as truly, To whomsoever amongst them, *God hath taken away thy sins*, as *Nathan* (they all knew) had used the very like speech, to whom *David* did not therefore impute blasphemy, but embraced, as became him, the words of truth, with joy and reverence.

Now there is no Controversie, but as God in that speciall case did authorize *Nathan*, so Christ more generally his Apostles, and the Ministers of his Word, in his Name to absolve sinners. Their power being equall, all the difference between them can be but onely in this, that whereas the one had prophetically evidence, the other have the certainty, partly of Faith, and partly of Humane experience, whereupon to ground their sentence; Faith, to assure them of Gods most gracious Pardon in Heaven unto all Penitents, and touching the sincerity of each particular parties repentance as much, as outward sensible tokens or signes can warrant.

It is not to be marvelled that so great a difference appeareth between the Doctrine of *Rome* and *Ours*, when wee teach Repentance. They, imply in the Name of Repentance much more than wee doe; wee stand cheifly upon the due inward Conversion of the Heart, they more upon Works of externall shew; we teach

teach above all things, that Repentance which is one and the same from the beginning to the worlds end; they a Sacramentall Penance of their own devising and shaping: We labour to instruct men in such sort, that every Soule which is wounded with sinne, may learn the way how to cure it self, they clean contrary would make all Soars seem incurable, unlesse the Priests have a hand in them.

Touching the force of whose Absolution they strangely hold, that whatsoever the Penitent doth, His Contrition, Confession, and Satisfaction have no place of right to stand, as materiall parts in this Sacrament, nor consequently any such force as to make them available for the taking away of sin, in that they proceed from the Penitent himself without the privacy of the Minister, but onely, as they are enjoined by the Ministers Authoritie and Power. So that no contrition or griefe of heart, till the Priest exact it, no acknowledgement of sinnes, but that which he doth demand, no praying, no fasting, no alms, no recompence, or restitution for whatsoever we have done, can help, except by him, it be first imposed. It is the chain of their own Doctrine, no remedie for mortall sinne committed after Baptisme, but the Sacrament of Penance onely: no Sacrament of Penance, if either matter or form be wanting; no wayes to make those duties a materiall part of the Sacrament, unlesse wee consider them, as required and exacted by the Priest. Our Lord and Saviour, they say, hath ordained his Priests, Judges in such sort, that no man which sinneth after Baptisme, can be reconciled unto God, but by

Ipsi poenitentis actio non est pars Sacramenti, nisi quatenus potestati Sacerdotali subicitur & a Sacerdote dirigitur vel jubetur. Bell. de Pœn. l. 1. c. 16.

Christus instituit Sacerdotes Judices super terram cum ea potestate, ut sine ipsorum

sententia, nemo post Baptismum lapsus reconciliari possit. Bell. l. 3. c. 1. de pœn.

Quod si pos-
sent ei sine
sacerdotum
sententia ab-
solvī, enim
esset vera
Christi pro-
missio, Quæ-
cunque &c.
Bellarm. ibid.

their sentence. For why? If there were any other way of Reconciliation, the very promise of Christ should be false in saying. *Whatsoever yee binde on Earth, shall be bound in Heaven, and whose sins soever yee retain, are retained.* Except therefore the Priest be willing, God hath by promise hampered himself so, that it is not now in his own power to Pardon any man. Let him which hath offended crave as the Publican did, *Lord be thou Mercifull to mee a sinner*; Let him, as David make a thousand times his supplication, *Have mercy upon mee, O God, according to thy loving kindnes, according to the multitude of thy compassion put away mine iniquities.* All this doth not help till such time as the pleasure of the Priest bee known, till he have signed us a Pardon, and given us, our *quietus est.* God himself hath no answer to make but such as that of his Angel unto Lot, I can doe nothing.

It is true, that our Saviour by these words, *whose sins yee remit, they are remitted*, did ordain Judges over our sinfull Soules, give them Authoritie to absolve from sin, and promise to ratifie in Heaven whatsoever they should doe on Earth, in execution of this their Office, to the end that hereby, as well his Ministers might take encouragement to doe their duty with all Faithfulness, as also his people admonition, gladly, with all reverence, to be ordered by them, both parts knowing that the Functions of the one towards the other have his perpetuall assistance and approbation. Howbeit all this with two restraints which every jurisdiction in the world hath, The one, that the practise thereof proceed in due order, The other that it do not extend it selfe beyond due bounds, which bounds or limits

limits have so confined poenitentiall jurisdiction, that although there be given unto it power of remitting sinne, yet not such soveraignty of power that no sin should be pardonable in man without it: Thus to enforce our Saviours words, is as though wee should gather, that because, Whatsoever *Joseph* did command in the Land of *Ægypt*; *Pharaohs* grant is, it should be done, therefore, he granteth that nothing should bee done in the Land of *Ægypt*, but what *Joseph* did command, and so consequently, by enabling his servant *Joseph*, to command under him, disableth himself to command any thing without *Joseph*.

Christus ordinariam suam potestatem in Apostolos transtulit, extraordinariam sibi reservavit.

But by this we see how the Papacy maketh all sin unpardonable, which hath not the Priests Absolution, except peradventure in some extraordinary case, where albeit absolution be not had, yet, it must be desired.

Ordinaria enim remedia in Ecclesia ad remittenda peccata sunt ab eo instituta, Sacramenta: sine quibus peccata remittere Christus potest, sed extraordinarie & multo varius, hoc facit quam per Sacramenta. Noluit igitur eos extraordinariis remediis remissionis peccatorum confidere, quæ, & rara sunt & incerta, sed ordinaria, ut ita dicam, visibilia Sacramentorum quærere remedia. *Maldon in Mat. 16.*

19.

What is then the force of absolution? What is it which the act of Absolution worketh in a sinfull man? doth it by any operation derived from it self alter the state of the Soule? Doth it really take away sinne, Or but ascertain us of Gods most gracious and mercifull pardon? The latter of which two is our ascertainment, the former theirs.

At the words of our Lord and Saviour Jesus Christ, saying unto the sick of the palse, *Sonne, thy sinnes are forgiven thee*, the Pharisees which knew him not to bee *Sonne of the living God*, took secret exception, and

Mat. 9. 2.

Mat. 2. 7.

M 3

fell.

Luc. 5. 21.

Cyprian. de laps.

c. 14.

Clem. Alex.

Pædag. li. 1.

πάντα ὀνύμ-

σιν ὁ Κίρι-

χὸ πάντα ὠφε-

λεῖ, καὶ ὡς ἄν-

θρωπος, καὶ

ὡς Θεός. τὰ μὲν

ἀμαρτήματα,

ὡς Θεός ἀφίεις

εἰς τὸ μὴ

ἐξαμαρτάνειν

παιδαγωγῶν

ὡς ἄνθρωπος.

Esa. 43. 25.

Veniam pec-

catis quæ in

ipsum com-

missa sunt, so-

lus potest ille

largiri, qui

peccata nostra

portavit, qui

pro nobis

doluit, quem

Deus tradidit

pro peccatis

nostris.

fell to reasoning with themselves against him: *Is any able to forgive sins, but God onely? The sins* (saith Saint Cyprian) *that are committed against him, hee alone hath power to forgive, which took upon him our sinnes, he which sorrowed and suffered for us, he whom the Father delivered unto Death for our offences.* Whereunto may be added that which Clemens Alexandrinus hath, *Our Lord is profitable every way, every way beneficiall, whether we respect him as Man, or as God, as God forgiving, as Man instructing and learning how to avoid sinne.* For it is I, even I that putteth away thine iniquities for mine own sake, and will not remember thy sins, saith the Lord.

Now albeit wee willingly confesse with Saint Cyprian, *The sinnes that are committed against him, he onely hath power to forgive, who hath taken upon him our sinnes, he which hath sorrowed and suffered for us, he, whom God hath given for our offences.* Yet neither did Saint Cyprian intend to deny the power of the Minister, otherwise then if he presume beyond his Commission to remit sinne, where Gods own will is it should be retained; for, against such Absolutions he speaketh (which being granted to whom they ought to have been denyed are of no validitie,) and if rightly it be considered, how higher causes in operation use to concur with inferiour meanes, his grace with our Ministerie, God really performing the same, which man is authorized to act as in his name, there shall need for decision of this point no great labour.

To remission of sinnes, there are two things necessary, Grace, as the onely cause which taketh away iniquitie, and Repentance as a duty or condition required in us. To make Repentance such as it should be,

bee, what doth God demand but inward sincerity, joyned with fit and convenient offices for that purpose, the one referred wholly to our own consciences, the other best discerned by them whom God hath appointed Judges in this Court. So that having first the promises of God for pardon generally unto all offenders penitent, and particularly for our own unfained meaning, the unfallable testimony of a good Conscience, the sentence of Gods appointed Officer and Vicegerent to approve with unpartiall judgement the quality of that we have done, and, as from his tribunal in that respect to assoile us of any crime: I see no cause but that by the rules of our Faith and Religion we may rest our selves very well assured touching Gods most mercifull pardon and grace, who especially for the strengthening of weak, timorous and fearefull mindes, hath so far endued his Church with power to absolve sinners. It pleaseth God that men sometimes should by missing this help perceive how much they stand bound to him for so precious a benefit enjoyed. And surely so long as the world lived in any awe or fear of falling away from God, so deere were his Ministers to the People, chiefly in this respect, that being through tyrannie, and persecution deprived of Pastors, the dolefull rehearfall of their lost felicities hath not any one thing more eminent, then that sinners distrest should not now know, how or where to unlade their burthens. Strange it were unto me that the Fathers who so much every where extoll the grace of Jesus Christ in leaving unto his Church this Heavenly and Divine power, should as men whose simplicity had universally been

*Victor. de per-
secutione Vandal.*

been abused, agree all to admire and magnifie a needlesse Office.

The sentence therefore of Ministeriall absolution hath two effects, Touching sinne it onely declareth us freed from the guiltines thereof, and restored into Gods favours; but concerning right in sacred and divine mysteries whereof through sin wee were made unworthy, as the power of the Church did before effectually binde and retain us from accessse unto them, so upon our apparent repentance, it truly restoreth our liberty, looseth the chains wherewith we were tyed, remitteth all whatsoever is past, and accepteth us no lesse returned then if wee never had gone astray.

For in as much as the power which our Saviour gave to his Church, is of two kindes, the one to be exercised over voluntary penitents onely, the other over such as are to be brought to amendment by Ecclesiasticall censures, the words wherein he hath given this Authority must be so understood as the subject or matter whereupon it worketh, will permit. It doth not permit that in the former kinde (that is to say) in the use of power over voluntary Converts to binde or loose, remit or retain should signifie any other, then onely to pronounce of sinners according to that which may be gathered by outward signes, because really to effect the removall or continuance of sinne in the Soule of any Offendor, is no Priestly act, but a work which far exceedeth their ability. Contrarywise in the latter kinde of spirituall Jurisdiction, which by Censures constraineth men to amend their lives: It is true that the Minister of God doth then more declare

declare and signifie what God hath wrought. And this power, true it is, that the Church of Christ hath invested in it.

Howbeit, as other truths, so this hath by error been oppugned and depraved through abuse. The first of name, that openly in writing withstood the Churches authoritie, and power to remit sinne, was *Tertullian*, after he had combined himself with *Montanists*, drawn to the liking of their Heresie, through the very lowernesse of his own nature, which neither his incredible skill and knowledge otherwise, nor the very Doctrine of the Gospel it self, could but so much alter as to make him favor any thing, which carried with it the taste of lenitie. A spung steeped in Worm-wood and Gall, a man through too much severity mercilesse, and neither able to endure, nor to be endured of any. His book entitled concerning Chastity, and written professedly against the Discipline of the Church, hath many fretfull and angry sentences, declaring a minde very much offended with such as would not perswade themselves that of sinnes, some bee pardonable by the Keys of the Church, some uncapable of forgiveness, that middle and moderate offences having received chastizement, may by spirituall authority afterwards bee remitted: but greater transgressions must (as touching indulgence) be left to the onely pleasure of Almighty God in the World to come: that as Idolatry and Blood shed, so likewise Fornication and Sinfull lust are of this nature; that they which so far have fallen from God, ought to continue for ever after barred from accessse unto his Sanctuary, condemned to perpetuall pro-

N

fusion

Securitas delicti etiam libido est ejus.

fusion of tears, deprived of all expectation and hope to receive any thing at the Churches hands, but publication of their shame. For (saith he) *who will fear to waste out that which he hopeth he may recover? Who will be carefull for ever to hold that, which he knoweth cannot for ever be withheld from him? Hee which slackneth the bridle to sinne, doth thereby give it even the spurre also.* Take away feare, and that which presently succeedeth in stead thereof is licentious desire. Greater offences therefore are punishable, but not pardonable by the Church. If any Prophet or Apostle be found to have remitted such transgressions, they did it, not by the ordinary course of discipline, but by extraordinary power. For they also raised the dead, which none but God is able to do; they restored the Impotent and Lame men, a work peculiar to Jesus Christ; yea, that which Christ would not doe, because executions of such severity becomed not him, who came to save and redeem the World by his sufferings, they by their power strook *Elymas* and *Ananias*, the one blinde, and the other dead. Approve first your selves to bee as they were Apostles or Prophets, and then take upon you to pardon all men. But if the authority you have be onely Ministeriall, and no way soveraign, overreach not the limits which God hath set you; know that to pardon capitall Sin, is beyond your Commission.

Howbeit, as oftentimes the vices of wicked men doe cause other their commendable qualities to be abhorred, so the honour of great mens vertues is easily a Cloak of their errorrs: In which respect *Tertullian* hath past with much lesse obloquie and reprehension than

than *Novatian*, who broaching afterwards the same opinion, had not otherwise wherewith to counter-vaile the offence he gave, and to procure it the like toleration. *Novatian* at the first a Stoicall Philosopher (which kinde of men hath alwayes accounted stupidity the highest top of wisdom, and commiseration the deadliest sinne) became by Institution and Study the very same which the other had been before, thorough a secret natural distemper upon his conversion to the Christian Faith and recovery from sickness, which moved him to receive the Sacrament of Baptisme in his Bed. The Bishop contrary to the Canons of the Church would needs in speciall love towards him ordain him Presbyter, which favour satisfied not him, who thought himselfe worthy of greater place and dignity. He closed therefore with a number of well minded men, and not suspicious what his secret purposes were, and having made them sure unto him by fraud, procureth his own consecration to be their Bishop. His Prelacy now was able as he thought to countenance what he intended to publish, and therefore his letters went presently abroad to sundry Churches, advising them never to admit to the fellowship of holy Mysteries, such as as had after Baptisme offered sacrifice to Idols.

Concil. Neocaesariensis. c. 12.

There was present at the Council of *Nice*, together with other Bishops, one *Acecius* a *Novatianist*, touching whose diversity in opinion from the Church the Emperour desirous to heare some reason, asked of him certaine questions, for answer whereunto *Acecius* weaveth out a long History of things that happened in the persecution under *Decius*. And of men,

Socrat. l. 4. c. 23.

Concil. Nicen. c. 30.

Socrat. l. 1. c. 7.

which to save life, forsook Faith, but the end was a certain bitter Canon framed in their own Schoole; *That men which fall into deadly sinne after holy Baptisme, ought never to bee againe admitted to the Communion of divine mysteries: that they are to bee exhorted unto repentance, howbeit not to bee put in hope that pardon can bee had at the Priests hands, but with God, which hath soveraign power and authority in himselfe, to remit sinnes; it may bee in the end they shall finde mercy.* These followers of Novatian, which gave themselves the title of *καταγε*, cleane, pure and unspotted men, had one point of *Montanisme* more than their Master did professe, for amongst sinnes unpardonable, they reckoned second Mariages, of which opinion *Tertullian* making (as his usuall manner was) a salt Apologie, *Such is (saith he) our stony hardnes, that defaming our Comforter with a kinde of enormity in discipline, we damme up the doors of the Church; no lesse against twice married men, then against Adulterers and Fornicators.* Of this sort therefore it was ordained by the *Nycene Synod*, that, if any such did return to the Catholick and Apostolick unity, they should in writing binde themselves to observe the Orders of the Church, and Communicate as well with them which had been often married, or had fallen in time of persecution, as with other sort of Christian people. But farther to relate, or, at all to refell the error of misbelieving men, concerning this point, is not now to our present purpose greatly necessary.

The Church may receive no small detriment by corrupt practise, even there where Doctrine concerning the substance of things practized is free from any

any great or dangerous corruption. If therefore that which the Papacy doth in matter of Confessions and Absolution, be offensive, if it palpably serve in the use of the Keyes, howsoever, that, which it teacheth in generall concerning the Churches power to retain and forgive sinnes be admitted true, have they not on the one side as much whereat to bee abasht, as on the other whereto to rejoyce?

They binde all men upon pain of everlasting condemnation and death, to make confession to their Ghostly Fathers of every great offence they know, and can remember that they have committed against God. Hath Christ in his Gospel so delivered the Doctrine of Repentance unto the World? Did his Apostles so preach it to Nations? Have the Fathers so beleevd, or so taught? Surely *Novatian* was not so mercilesse in depriving the Church of power to Absolve some certain offenders, as they in imposing upon all a necessity thus to confesse. *Novatian* would not deny but God might remit that which the Church could not, whereas in the Papacy it is maintained that what we conceale from men, God himself shall never pardon. By which oversight, as they have here furcharged the world with multitude, but much abated the weight of confession, so the carelesse manner of their Absolution hath made discipline for the most part amongst them a bare formality: Yea, rather a mean of emboldning unto vicious and wicked life, then either any help to prevent future, or medicine to remedie present evils in the Soule of Man. The Fathers were slow and always fearful to absolve any before very manifest tokens given of a true penitent

and contrite spirit. It was not their custome to remit sinne first, and then to impose works of satisfaction, as the fashion of *Rome* is now, in so much that this their preposterous course and misordered practises hath bred also in them an error concerning the end and purpose of these works. For against the guiltinesse of sinne and the danger of everlasting condemnation thereby incurred, Confession and Absolution succeeding, the same are as they take it, a remedy sufficient, and therefore what their penitentiaries do think good to enjoin farther, whether it bee a number of *Ave-Maries* daily to be skored up, a Journey of Pilgrimage to be undertaken, some few dishes of ordinarie diet to be exchanged, offrings to be made at the shrines of Saints, or a little to be scraped off from mens superfluities for reliefe of poore people, all is in lieu or exchange with God, whose Justice notwithstanding our pardon, yet oweth us still some temporall punishment; either in this or in the life to come, except we quite it our selves here with works of the former kinde, and continued till the ballance of Gods most strict severity shall finde the paines we have taken equivalent with the plagues which wee should endure, or else the mercy of the Pope relieve us. And at this postern gate commeth in the whole Mart of Papall Indulgences so infinitely strewed that the pardon of sinne, which heretofore was obtained hardly, and by much suit, is with them become now almost impossible to be escaped.

To set down then the force of this Sentence in Absolving Penitents; There are in sin these three things; The act which passeth away and vanisheth; The Pollution

Pollution wherewith it leaveth the Soule defiled; and the punishment whereunto they are made subject that have committed it. The act of sinne, is every deed, word, and thought against the Law of God. *For sin is the transgression of the Law*, and although the deed it self doe not continue, yet is that bad quality permanent, whereby it maketh the Soule unrighteous and deformed in Gods sight. *From the Heart, come evil cogitations, Murthers, Adulteries, Fornications, Thefts, False testimonies, slanders; These are things which defile a man.* They doe not onely as effects of impurity argue the nest to be unclean, out of which they came, but as causes they strengthen that disposition unto wickednesse, which brought them forth; They are both fruits and seeds of uncleannesse, they nourish the root out of which they grow, they breed that iniquity which bred them. The blot therefore of sinne abideth, though the act bee transitory. And out of both ariseth a present debt, to endure what punishment soever the evill which we have done deserveth, an obligation, in the chains whereof sinners by the Justice of Almighty God continue bound till Repentance loose them. *Repent this thy wickednesse* (saith Peter) unto Simon Magus, beseech God, that, if it be possible, the thought of thine heart may be pardoned; for I see thou art in the gall of bitternes, and in the bond of iniquity. In like manner Salomon; *The wicked shall be held fast in the cords of his own sin.*

In peccato, vicia sunt, actio mala, interior macula, & sequela. Bon. sent. l. 4. d. 17. q. 3. 1 Jo. 3. 4.

Mat. 15. 19.

Act. 8. 23.

Prov. 5. 22.

Nor doth God, onely binde sinners hand and foot by the dreadfull determination of his own unsearchable judgement a-

Sacerdotes opus Justitiae exercent in peccatores cum eos iusta poena ligant; opus misericordiae cum de ea aliquid relaxant, vel Sacramentorum communioni conciliant; alia opera in peccatores exercere nequeunt. Sent. l. 4. dif. 18.

gainst

gainst them; but sometime also the Church bindeth by the Censures of her discipline: So that when offenders upon their repentance are by the same discipline absolved, the Church looseth but her own bonds, the chaines wherein shee had tyed them before.

The act of sinne God alone remitteth, In that his purpose is never to call it to account, *or to lay it unto mens charge; the staine he washeth out by the sanctifying grace of his spirit*; and concerning the punishment of sinne, as none else hath power to cast body and soule into hell fire, so none power to deliver either besides him.

As for the Ministerial sentence of private Absolution, it can be no more than a Declaration what God hath done; it hath but the force of the Prophet *Nathans* Absolution, *God hath taken away thy sinne*: Then which Construction, especially of words judicall, there is not any thing more vulgar. For example, the Publicans are said in the Gospel to have justified God: The Jews in *Malachie* to have blessed proud men, which sinne and prosper not that the one did make God righteous, or the other the wicked happy: but to blesse, to justifie and to absolve, are as commonly used for words of judgement, or declaration, as of true and reall efficacie, yea, even by the opinion of the Master of sentences; it may be soundly affirmed and thought that God alone doth remit and retain sins, although hee have given power to the Church to doe both; but he one way, and the Church another. Hee onely by himselfe forgiveth sinne, who cleanseth the Soule from inward blemish, and

and looseth the debt of eternal death: So great a Priviledge he hath not given unto his Priests, who notwithstanding are authorized to loose and binde, that is to say, declare who are bound, and who are loosed. For albeit a man be already cleared before God, yet he is not in the Church of God so taken, but by vertue of the Priests sentence, who likewise may be said to binde by imposing satisfaction, and to loose by admitting to the holy Communion.

Saint *Hierome* also, whom the Master of the Sentences alleadgeth for more countenance of his own opinion, doth no lesse plainly and directly affirme; *That as the Priests of the Law could onely discern, and neither cause nor remove Leprosies: so the Ministers of the Gospel when they retaine or remit sinne, doe but in the one judge how long wee continue guilty, and in the other declare when wee are cleare or free.* For there is nothing more apparent, then that the discipline of Repentance both publick and private was ordained as an outward meane to bring men to the vertue of inward conversion: So that when this by manifest tokens did seem effected, Absolution ensuing (which could not make) served onely to declare men innocent.

*Hier. tom. 6.
comment. in 16.
Matt.*

But the cause wherefore they are so stiffe and have forsaken their own Master in this point, is for that they hold the private discipline of Penitency to be a Sacrament, Absolution an external signe in this Sacrament; the signes external of all Sacraments in the New Testament, to bee both causes of that which they signifie, and signes of that which they truly cause.

Scot. sent. l. 4.
solut. ad 4.
quæst. 6. quin-
tam.
Occam in 1. qu.
quant. Alliac.
quæst. 1. in 4.
sent.

To this opinion concerning Sacraments, they are now tyed by expounding a Canon in the *Florentine* Councel, according to a former Ecclesiasticall invention received from *Thomas*. For his devise it was, that the mercy of God, which useth Sacraments as instruments whereby to work, indueth them at the time of their Administration with supernatural force and abilitie to induce grace into the Soules of men; even as the Ax and Saw doth seem to bring Timber into that fashion which the minde of the Artificer intendeth. His concept *Scotus*, *Occam*, *Petrus Alliancensis*, with sundry others, doe most earnestly and strongly impugne, shewing very good reason, wherefore no Sacrament of the new Law can either by vertue which it selfe hath, or by force supernaturall given it, be properly a cause to work grace; but Sacraments are therefore said to worke or conferre grace, because the will of Almighty God is, although not to give them such efficacie, yet himself to be present in the Ministry of the working that effect, which proceedeth wholly from him without any reall operation of theirs, such as can enter into mens Soules.

In which construction, seeing that our book and writings have made it known to the world how wee joyne with them, it seemeth very hard and injurious dealing, that *Bellarmino* throughout the whol course

Lutherani de hac re interdum ita scribunt ut videantur à Catholicis non dissentire; interdum autem apertissime scribunt contraria, at semper in eadem sententia manent, Sacramenta non habere immediate illam efficientiam respectu gratiæ, sed esse nuda signa,

of his second book *de Sacramentis in genere*, should so boldly face down his Adversaries, as if their opinion were that Sacraments are naked, empty, and uneffe-
ctuell

Equall signes; wherein there is no other force than onely such as in pictures to stir up the minde, that so by theorie and speculation of things represented, Faith may grow; finally, that all the operation which Sacraments have, is a sensible and divine Instruction. But had it pleased him not to hud-winck his own knowledge, I nothing doubt but hee fully saw how to answer himselfe, it being a matter very strange and incredible, that one which with so great diligence hath winowed his aduersaries writings, should bee ignorant of their mindes. For, even as in the person of our Lord Jesus Christ both God and Man, when his humane nature is by it self considered, we may not attribute that unto him, which we doe and must ascribe as oft as respect is had unto both natures combined; so because in Sacraments there are two things distinctly to be considered, the outward signe, and the secret concurrence of Gods most blessed Spirit, in which respect our Saviour hath taught that water and the Holy Ghost are combined,

tamen mediate aliquid efficere quatenus excitant & alunt fidem, quod ipsum non faciunt nisi representando ut Sacramenta per visionem excitent fidem, quomodo prädicatione verbi per auditum. Bellarm. de Sacr. in genere l. 2. c. 2.

Quaedam signa sunt theorica, non ad alium finem instituta, quam ad significandum; alia ad significandum & efficiendum, quae ob id practica dici possunt. Controversia est inter nos & haereticos, quod illi faciunt Sacramenta signa prioris generis. Quare si ostendere poterimus esse signa posterioris generis, obtinimus causam, cap. 8.

Semper memoria repetendum est Sacramenta nihil aliud quam instrumentales esse conferendae nobis gratiae causas. Calv. in Ant. con. Frid. se. 7. c. 5.

Si qui sint qui negent Sacramentis contineri gratiam quam figurant, illos improbamur, ibid. can. 6.

Iste modus non transcendit rationem signi, cum Sacramenta novae legis non solum significant, sed causent gratiam. part. 3. q. 62. act. 1. Alexan. par. 4. q. 8. memb. 3. act. 5. §. 1. & 2. Th. de verit. q. 27. act. 3. Alliac. in quart. sent. 9. 1. Capr. in 4. d. 1. q. 1. Palud. tom. Ferrar. lib. 4. cont. Gent. c. 57.

Necesse est ponere aliquam virtutem supernaturalem in Sacramentis. Sent. 4. d. 1. q. 1. act. 4.

Sacramentum consequitur spirituales virtutes cum benedictione Christi, & applicatione Ministr. ad usum Sacramenti. par. 3. q. 62. art. 4. concil.

Virtus Sacramentalis habet esse transiens ex uno in aliud & incompletum. Ibidem.

Ex Sacramentis duo consequuntur in anima; unum est caracter, sive aliquis ornatu; aliud est gratia. Respectu primo Sacramenta sunt causae aliquo modo efficientes; respectu secundo sunt disponentes. Sacramenta causant

dispositionem ad formam ultimam, sed ultimam perfectionem non inducunt. Sent. 4. d. 1. q. 1. art. 4.

to work the myserie of new birth; Sacraments therefore as signes have onely those effects before mentioned; but of Sacraments, in that by Gods own will and ordinance they are signes assisted alwayes with the power of the Holy Ghost; we acknowledge whatsoever either the places of the Scripture, or the authority of Councels and Fathers, or the proofes and arguments of reason which hee alleadgeth, can shew to be wrought by them. The Elements and words have power of infallible signification, for which they are called Seales of Godstruth; the Spirit affixed unto those Elements and Words, power of operation within the Soule, most admirable, divine, and impossible to be exprest. For so God hath instituted and ordained that together with due administration and receipt of Sacramentall signes, there shall proceed from himself, grace effectually, to sanctifie, to Cure, to Comfort, and whatsoever is else for the good of the Soules of Men. Howbeit this opinion *Thomas* rejecteth, under pretence that it maketh Sacramentall Words and Elements to be in themselves no more then signes, whereas they ought to bee held as causes of that they signifie. He therefore reformeth it with this addition, that the very sensible parts of the Sacraments doe Instrumentally effect and produce, not grace, (for the Schoolmen both of these times, and long after, did for the most part maintain it untrue, and some of them impossible, that sanctifying grace should efficiently proceed but from God alone, and that by immediate creation, as the substance of the Soule doth)

doth) but the phantasie which *Thomas* had, was that sensible thing through Christ and the Priests Benediction, receive a certaine supernatural transitory force, which leaveth behinde it a kinde of preparative qualitie or beautie within the Soule, whereupon immediately from God doth ensue the grace that justifieth.

Now they which pretend to follow *Thomas*, differ from him in two points. For first, they make grace an immediate effect of the outward signe, which he for the dignitie and excellency thereof was afraid to doe. Secondly, whereas he to produce but a preparative quality in the Soule, did imagine God to create in the instrument, a supernaturall guift, or hability; they confesse that nothing is created, infused, or any way inherent either in the word, or in the elements; nothing that giveth them instrumental efficacie, but Gods meer motion, or application. Are they able to explaine unto us, or themselves to conceive what they meane when they thus speak? For example, let them teach us, in the Sacrament of Baptisme, what it is for water to be moved, till it bring forth grace. The application therof by the Minister is plain to sense; the force which it hath in the minde, as a mortall instrument of information, or instruction, we know by reason, and by faith we understand how God doth assist it with his spirit; whereupon ensueth the grace which Saint *Cyprian* did in himselfe observe, saying, *After the bathe of regeneration having skoured out the stained foulnesse of former life, supernatural light had entrance into the brest which was purified and cleansed for it; after that a second nativity had made another man, by*

Solus Deus efficit gratiam adeo quod nec Angelis, qui sunt nobiliores sensibilibus creaturis, hoc communicetur. Sent. 4. d. 1. q. 1. art. 4. Eph. 2.

inward

inward receipt of the spirit from Heaven; things doubtfull began in mervailous manner to appeare certaine, that to bee open which lay hid, darknesse to shine like the cleare light, former hardnes to be made facility, impossibilitie easinesse: In so much as it might be discerned how that was earthly, which before had been carnally bred and lived, given over unto sinnes: that now Gods own, which the holy Ghost did quicken.

Our opinion is therefore plaine unto every mans understanding. Wee take it for a very good speech, which Bonaventure hath uttered in saying, Heed must

Cavendum enim ne dum nimis damus corporalibus signis ad laudem, subtrahamus honorem causæ curanti & animæ suscipienti.

bee taken that while wee asigne too much to the bodily signes in way of their commendation, wee withdraw not the honour which is due to the

cause which worketh in them, and the Soule which receiveth them: wherunto wee conformably teach, that the outward signe applyed, hath of it selfe no naturall efficacie towards grace, neither doth God put into it any supernatural inherent vertue; And, as I think, wee thus farre avouch no more than they themselves confesse to be very true.

If any thing disp'ease them, it is because we adde to these premisses another assertion; that with the outward signe, God joyneth his holy Spirit; and so the whole instrument of God bringeth that to passe, whereunto the baser and meaner part could not extend. As for operations through the motions of signes, they are darke, intricate and obscure, perhaps possible; howbeit, not proved either true or likely, by alleadging that the touch of our Saviours garment restored health, clay sight, when he applyed

it. Although ten thousand such examples should be brought, they overthrow not this one principle; that, where the instrument is without inherent, the effect must necessarily proceed from the onely agents adherent power.

It passeth a mans conceit how water should bee carried into the Soule with any force of divine motion, or grace proceed but meerly from the influence of Gods Spirit: Notwithstanding if God did himself teach his Church in this case to believe that which he hath not given us capacity to comprehend, how incredible soever it may seem, yet our wits should submit themselves, and reason give place unto faith therein. But they yeeld it to bee no question of faith, how grace doth proceed from Sacraments; if in generall they be acknowledged true instrumentall causes, by the Ministry whereof men receive divine grace; and that they which impute grace to the onely operation of God himself, concurring with the externall signe, doe no lesse acknowledge the true efficacy of the Sacrament, then they that ascribe the same to the quality of the signe applyed, or to the motion of God applying, and so far carrying it, till grace be not created but extracted, out of the natural possibility of the soule. Neverthelesse this last Philosophicall imagination (if I may call it Philosophicall,) which useth the terms, but overthroweth the rules of Philosophy, and hath no article of Faith to support it, but whatsoever it be, they follow it in a manner all, they cast off the first opinion, wherein

Bell. de Sacr.
in gen. l. 2.
c. 1.

Dicimus gratiam non creari à Deo, sed produci ex aptitudine & potentia naturali animæ, sicut cætera omnia quæ producuntur in subjectis talibus quæ sunt apta nata ad suscipiendum accidentia. Allen de Sacram. in gen. c. 37.

is most perspicuity and strongest evidence of certain truth. The Council of *Florence* and *Trent* defining that Sacraments containe and conferre grace, the sense whereof (if it liked them) might so easily conform it selfe with the same opinion which they drew without any just cause quite and clean the other way making grace the issue of bare words, in such Sacraments as they have framed destitute of any visible Element, and holding it the of-spring as well of Elements as of words in those Sacraments where both are; but in no Sacrament acknowledging grace to bee the fruit of the holy Ghost working with the outward signe, and not by it, in such sort, as *Thomas* himselfe teacheth; that the Apostles Imposition of Hands caused not the comming of the holy Ghost, which notwithstanding was bestowed together with the exercise of that Ceremony; yea by it, (saith the Evangelist) to wit, as by a meane, which came between the true Agent and the Effect, but not otherwise.

Tho. de Verit.
q. 27. art. 3.
resp. ad 16.
Act. 8. 18.

Many of the ancient Fathers presupposing that the Faithfull before Christ had not till the time of his comming, that perfect Life and Salvation which they looked for and we possesse, thought likewise their Sacraments to bee but prefigurations of that which ours in present doe exhibite. For which cause the *Florentine* Council comparing the one with the other, saith, *that the old did onely shadow grace, which was afterward*

to bee given through the passion of Jesus Christ. But the after-wit

of

of latterdays hath found out another more exquisite distinction, that Evangelicall Sacraments are causes to effect grace, through motion of signes legall according to the same signication and sense wherein Evangelical Sacraments are held by us to be Gods Instruments for that purpose. For howsoever *Bellar.* hath shrunk up the *Lutherans* sinews, and cut off our doctrine by the skirts; *Allen*, although he terme us Heretiques, according to the usuall bitter venom of his proud stile; doth yet ingenuously confesse, that the old School-mens doctrine and ours is one concerning Sacramentall efficacy, derived from God himself assisting by promise those outward signes of Elements and words, out of which their Schoolmen of the newer mint are so desirous to hatch grace. Where God doth work and use these outward meanes, wherein hee neither findeth nor planteth force and aptnesse towards his intended purpose, such means are but signes to bring men to the consideration of his omnipotent power, which without the use of things sensible, would not be marked. At the time therefore when he giveth his heavenly grace, he applyeth by the hands of his Ministers, that which be-tokeneth the same, nor onely betokeneth, but being also accompanied for ever with such power as doth truly worke, is in that

P
respect,

vetustiores Scholastici voluerunt nova Sacramenta conferre gratiam. *Allen de Sacr. in gen. c. 39.*

Bonaventura, Scotus, Durandus, Richardus, Occamus, Marsilius, Gabriel, volunt solum Deum producere gratiam ad presentiam Sacramentorum. Bellarm. de Sacr. In gen. lib. 2. c. 11.

Puto longe probatiorem & tutiorem sententiam qua dat sacramentis veram efficientiam. Primo, quia doctores passim docent Sacramenta non agere nisi prius à Deo virtutem seu benedictionem, seu sanctificationem accipiant; & referunt effectum Sacramentorum ad omnipotentiam Dei, & conferunt cum veris causis efficientibus. Secundò, quia non esset differentia inter modum agendi Sacramentorum, & signorum Magicorum. Tertiò, quia tunc non esset homo Dei Minister in ipsa actione Sacramenti, sed homo praberet signum actione sua, & Deus alia actione viso eo signo infunderet gratiam, ut cum unus ostendit syngrapham Mercatori, & ille dat pecunias. At Scriptura docent quod Deus baptizat per hominem. Bel. l. 2. cap. 11.

respect, termed Gods instrument a true efficient cause of Grace; a cause not in it self, but onely by connexion of that which is in it self a cause, namely Gods owne strength and power. Sacraments, that is to say, the outward signes in Sacraments, worke nothing till they bee blessed and sanctified by God. But what is Gods heavenly benediction and sanctification, saving onely the association of his spirit? shall we say that Sacraments are like Magical signes, if thus they have their effect? Is it magick for God to manifest by things sensible what he doth, and to doe by his own most glorious spirit really, what he manifesteth in his Sacraments? the delivery and administration whereof, remaineth in the hands of mortall men, by whom, as by personall instruments, God doth apply signes, and with signes inseparably joyne his spirit, and through the power of his spirit worke grace. The first is by way of concomitance and consequence to deliver the rest also that either accompany, or ensue. It is not here, as in cales of mutuall commerce, where divers persons have divers acts to be performed in their own behalf; a creditor to shew his bill, and a debtor to pay his money. But God and man do here meet in one action upon a third, in whom, as it is the work of God to create grace, so it is his work by the hand of the Minister to apply a signe which should betoken, and his work to annex that spirit which shall effect it. The action therefore is but one, God the Author thereof, and man a copartner by him assigned to work for, with, and under him. God the giver of grace, by the outwards Ministry of man, so far forth as he authorizeth

zeth man to apply the Sacraments of grace in the Soule, which he alone worketh, without either instrument or coagent.

Whereas therefore with us the remission of sin is ascribed unto God, as a thing which proceedeth from him onely, and presently followeth upon the vertue of true repentance appearing in man; that which we attribute to the vertue, they doe not onely impute to the Sacrament of repentance; but having made repentance a Sacrament, and thinking of Sacraments as they doe, they are enforced to make the Ministerie of his Priests, and their Absolution a cause of that which the sole omnipotency of God worketh.

And yet for my own part, I am not able well to conceive how their doctrine, That humane Absolution is really a cause out of which our deliverance from sin doth ensue, can cleave with the Council of Trent,

*Cont. Trid.
sess. 14. c. 4.*

That Contrition perfected with Charitie doth at all times it selfe reconcile offenders to God, before they come to receive actually the Sacrament of Penance.

How it can stand with those discourses of the learnedst Rabbies, which grant, *That whosoever turneth unto God with his whole heart, hath immediatly his sinnes taken away; that if a man bee truly converted, his pardon can neither bee denied nor delayed;* It doth not stay for the Priests Absolution, but presently followeth.

*Bellarmin. de
penit. l. 2. c. 13.*

Surely if every contrite sinner in whom there is charitie, and a sincere conversion of heart, have remission of sins given him, before he seek it at the Priests hands, if reconciliation to God bee a present and immediate sequel, upon every such conversion or change; it must of necessitie follow, seeing no man can be a true penitent or contrite,

which doth not both love God and sincerely abhor sinne; that therefore they all before Absolution attaine forgiveness; whereunto notwithstanding Absolution is pretended a cause so necessary, that sinne without it, except in some rare extraordinary case, cannot possibly bee remitted. Shall Absolution be a cause producing and working that effect, which is alwayes brought forth without it, and had before Absolution bee thought? But when they which are thus before hand pardoned of God, shall come to bee also assoiled by the Priest, I would know what force his Absolution hath in this case? Are they able to say here that the Priest doth remit any thing? Yet, when any of ours ascribeth the worke of Remission to God, and interpreteth the Priests sentence to be but a solemne declaration of that which God himself hath already performed, they scorn at it; they urge against it, that if this were true, our Saviour Christ should rather have said, *What is loosed in Heaven, yee shall loose on earth*, then as hee doth, *Whatsoever yee loose on Earth, shall in Heaven bee loosed*. As if he were to learn of us how to place his words, and not wee to crave rather of him a sound and right understanding; least to his dishonour, and our own hurt wee misexpound them. It sufficeth I think both against their constructions to have proved that they ground an untruth on his speech; and in behalfe of our own, that his words without any such transposition doe very well admit the sense we give them; which is, that he taketh to himselfe the lawfull proceedings of authority in his name, and that the act of spirituall authority in this case, is by sentence to acquit or pronounce them free from sinne, whom

whom they judge to bee sincerely and truly penitent; which Interpretation they themselves doe acknowledge though not sufficient, yet very true.

Hæc expositio, Ego te absolvo, id est, Absolutionem ostendo, partim quidem vera est, non tamen perfecta. Sacramenta quippe novæ legis non solum significant, sed efficiunt quod significant. Soto sent. l. 4. dist. 14. q. 1. art. 3.

Absolution they say, declareth indeed; but this is not all, for it likewise maketh innocent; which addition, being an untruth proved, our truth granted, hath I hope sufficiency without it; and consequently our opinion therein, neither to bee challenged as untrue, nor as insufficient.

To rid themselves out of these briars, and to make Remission of finnes an effect of Absolution, notwithstanding that which hitherto hath been said, they have two shifts; as first, that in many penitents, there is but attrition of heart, which attrition they define to bee greife proceeding from feare without love; and to these they say Absolution doth give that contrition whereby men are really purged from sinne. Secondly, that even

Attritio solum dicit dolorem propter penas inferni; dum quis accedit attritus per gratiam Sacramentalem, fit contritus. Soto sent. 4. dist. 14. q. 1. art. 1.

where contrition or inward repentance doth cleanse without Absolution, the reason why it commeth so to passe,

Dum accedit vere contritus propter Deum, illa etiam contritio non est contritio, nisi quatenus prius natura informetur gratia per Sacramentum in voto. Soto sent. 4. dist. 14. q. 1. art. 1.

is, because such contrites intend and desire Absolution, though they have it not. Which two things granted: The one, that Absolution given,

maketh them contrite that are not. The other, that, even in them which are contrite, the cause why God remitteth sinne, is the purpose or desire they have to receive Absolution: wee are not to stand against a sequel so clear and manifest as this, that alwayes remission of sinne proceedeth from Absolution either had or desired. But should a reasonable man give credit to their bare conceit, and because their positions have driven them to imagine Absolving of unsufficiently disposed penitents, to be a reall creating of further vertue in them, must all other men think it due? Let them

Legitima contritio votum Sacramenti pro suo tempore debet inducere, atque adeo in virtute futuri Sacramenti peccata remittit. Id. art. 3.

cancell hence forward and blot out of all their bookes those old cautions touching necessity of wisdom, least Priests should inconsiderately Absolve any man in whom there were not apparent tokens of true Repentance; which to doe was in *Cyprians* judgement *pestilent deceit and flattery*, not onely not available, but hurtfull to them that had transgressed; a frivolous, frustrate and false peace, such as caused the unrighteous to trust to a lye, and destroyed them unto whom it promised safety. What needeth observation whether Penitents have worthines and bring contrition, if the words of Absolution doe infuse contrition? have

Tunc sententia Sacerdotis iudicio Dei, & totius cœlestis Curie approbatur, & confirmatur, cum ita ex discretione procedit, ut reorum merita non contradicant. sent. l. 4. d. 18.

Non est periculosum sacerdoti dicere, Ego te absolvo, illis in quibus signa contritionis videt, quæ sunt dolor de præteritis, & præpositum de cætero non peccandi; alias, absolvere non debet. Tho. Opusc. 22. Cyp. de lapsis.

terry, not onely not available, but hurtfull to them that had transgressed; a frivolous, frustrate and false peace, such as caused the unrighteous to trust to a lye, and destroyed them unto whom it promised safety.

What needeth observation whether Penitents have worthines and bring contrition, if the words of Absolution doe infuse contrition? have

have they born us all this while in hand, that contrition is a part of the matter of their Sacrament; a condition or preparation of the minde towards grace to bee received by Absolution in the forme of their Sacrament? and must wee now beleve that the form doth give the matter? that Absolution bestoweth contrition, and that the words doe make presently of *Saul, David, of Judas, Peter*? For what was the penitency of *Saul* and *Judas*, but plain attrition, horreur of sinne through feare of punishment, without any loving sense, or taste of Gods mercy?

Their other fiction, imputing remission of sin to desire of Absolution from the Priest, even in them which are truly contrite, is an evasion somewhat more witty, but no whit more possible for them to prove. Belief of the world and judgement to come, Faith in the promises and sufferings of Christ for mankinde, feare of his Majestie, love of his mercy, grieve for sinne, hope for pardon, suite for grace; these we know to bee the Elements of true contrition; suppose that besides all this God did also command that every penitent should seek his Absolution at the Priests hands, where so many causes are concurring unto one effect; have they any reason to impute the whole effect unto one; any reason in the choice of that one to passe by Faith, feare, love, humility, hope, prayer, whatsoever else, and to enthrone above them all a desire of Absolution from the Priest, as if in the whole worke

worke of mans repentance God did regard and accept nothing but for and in consideration of this? Why doth the *Tridentine* Councel impute it to Charitie, *That contrites are reconciled in Gods sight, before they receive the Sacrament of penance, if desired Absolution bee the true cause*, But let this passe how it will, seeing the question is not what vertue God may accept in penitent sinners, but what grace Absolution actually given doth really bestow upon them. If it were as they will have it, that God regarding the humiliation of a contrite spirit, because there is joyned therewith a lowly desire of the Sacrament of Priestly Absolution, pardoneth immediately and forgiveth all offences: doth this any thing help to prove that Absolution received afterward from the Priest, can more then declare him already pardoned which did desire it? To desire Absolution, presupposing it commanded, is obedience: and obedience in that case is a branch of the vertue of repentance, which vertue being thereby made effectuell to the taking away of finnes without the Sacrament of repentance, is it not an argument that the Sacrament of Absolution hath here no efficacie, but the vertue of contrition worketh all? For how should any effect ensue from causes which actually are not? The Sacrament must be applied wheresoever any grace doth proceed from it. *So that where it is but desired onely, what-*

soever may follow upon Gods ac-
ception of this desire, the Sa-
crament

A reatu mortis æternæ absolvitur homo
 à Deo per contritionem; manet autem

crament afterwards received can be no cause thereof. Therefore the further we wade, the better we see it still appeare, that the Priest doth never in Absolution, no not so much as by way of Service and Ministry, really either forgive them, take away the uncleannesse, or remove the punishment of sinne; but if the partie penitent come contrite, he hath by their own grant Absolution before Absolution; if not contrite, although the Priest should seem a thousand times to absolve him, all were in vain. For which cause, the Antients and better sort of their School divines, *Abulensis*, *Alexander Hales*, *Bonaventure*, ascribe the reall abolition of sinne, and eternall punishment to the meere pardon of Almighty God without dependency upon the Priests Absolution as a cause to effect the same. His Absolution hath in their doctrine certain other effects specified, but this denied, Wherefore having hitherto spoken of the vertue of Repentance required, of the discipline of Repentance which Christ did establish; and of the Sacrament of Repentance invented sithence, against the pretended force of humane Absolution in Sacramentall penitency; Let it suffice thus farre to have shewed how God alone doth truly give, the vertue of

reatus ad quandam poenam temporalem, & Minister Ecclesie quicunque virtute clavium tollit reatum cujusdam partis poenae illius. *Abul. in defens. per 1. c. 7.*

Signum hujus Sacramenti est causa effectiva gratiae sive remissionis peccatorum, non simpliciter sicut ipsa prima poenitentia, sed secundum quid, quia est causae efficaciae gratiae qua fit remissio peccati, quantum ad aliquem effectum in poenitente, ad minus quantum ad remissionem sequelae ipsius peccati, scilicet poenae. *Alex. p. 4. q. 14. memb. 2.*

Potestas clavium proprie loquendo non se extendit supra culpam; ad illud quod objicitur To. 22. Quorum remisistis peccata, dicendum quod vel illud de remissione dicitur quantum ad ostensionem,

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Repen-

vel solum quantum ad pœnam. *Bon. sent. Repentance alone procure, and*
l. 1. d. 18. q. 1. priuste ministeriall Absolution

Ab æterna pœna nullo modo solvit sacerdos, sed à purgatoria; neque hoc *but declare remission of sins.*
 per se, sed per accidens, quod cum in penitente virtute clavium minuitur debitum pœnæ temporalis, non ita acriter punietur in purgatorio sicut si non esset absolutus. *Sent. lib. 4. d. 18. q. 2.*

Now the last and sometimes hardest to bee satisfied by Repentance, are our mindes; and our mindes wee have then satisfied, when the Conscience is of guilty become clear. For, as long as we are in our selves privy to our own most hainous crimes, but without sense of Gods Mercy and Grace towards us, unlesse the heart bee either brutish for want of knowledge, or altogether hardned by wilfull atheisme; the remorse of sinne is in it as the deadly sting of a Serpent: which point since very Infidels and Heathens have observed in the nature of sinne, (for the disease they felt, though they knew no remedy to help it) wee are not rashly to despise those sentences which are the testimonies of their experience touching this point. They knew that the eye of a Mans own Conscience is more to bee feared by evill doers then the presence of a thousand witnesses, in as much as the mouths of other accusers are many wayes stopt, the ears of the accused not alwayes subject to glowing with contumely and exprobration; whereas a guilty minde being forced to be still both a Martyr and a Tyrant it selfe, must of necessity endure perpetuall anguish and grieve. For, as the body is rent
 with

with stripes, so the minde with guiltinesse of cruelty, lust, and wicked resolutions. Which furies brought the Emperour *Tyberius* sometimes into such perplexity, that writing to the Senate, his wonted art of dissimulation failed him utterly in this case; And whereas it had been ever his peculiar delight so to speake that no man might bee able to sound his meaning, he had not the power to conceale what hee felt through the secret scourge of an evill Conscience, though no necessity did now enforce him to disclose the same. *What to write, or how to write, at this present, if I know (saith Tyberius) let the Gods and Goddeses, who thus continually eat mee, onely bee worse to mee then they are.* It was not his Imperiall dignity and power, that could provide a way to protect him against himselfe, the feares and suspicion which improbity had bred being strengthened by every occasion, and those vertues cleane banished which are the onely foundation of sound tranquillity of minde. For which cause, it hath beene truly said, and agreeably with all mens experience, that if the vertuous did excell in no other priviledge, yet farre happier they are then the contrary sort of men, for that their hopes be alwayes better. Neither are wee to marvaile that these things known unto all, doe stay so few from being Authours of their own woe. For wee see by the ancient example of *Iosephs* unkinde brethren, how it cometh to remembrance easily when crimes are

once past, what the difference is of good from evill, and of right from wrong. But such considerations when they should have prevented sin, were overmatcht by inordinate desires. Are we not bound then with all thankfulness to acknowledge his infinite goodnesse and mercy, which hath revealed unto us the way how to rid our selves of these mazes; the way how to shake off that yoke, which no flesh is able to beare; the way how to change most grisly horror into a comfortable apprehension of heavenly joy?

Whereunto there are many which labour with so much the greater difficulty, because imbecillity of minde doth not suffer them to censure rightly their own doings: Some fearefull least the enormity of their crimes bee so impardonable that no repentance can do them good; some, least the imperfection of their repentance make it uneffectuall to the taking away of sinne. The one drive all things to this issue, whether they bee not men that have sinned against the *Holy Ghost*; The other to this, what repentance is sufficient to cleare sinners, and to assure them that they are delivered. Such as by error charge themselves of unpardonable sinne, must thinke it may bee they deem that unpardonable which is not. Our Saviour speaketh indeed of blasphemy which shall never bee forgiven. But have they any sure and infallible knowledge what that blasphemy is? If not, why are they unjust and cruell to their own Soules imagining certainty of

of guiltinesse in a crime concerning the very nature whereof they are uncertaine? For mine own part, although where this blasphemy is mentioned, the cause why our Saviour spake thereof, was the Pharisees blasphemy, which was not afraid to say, *hee had an uncleane Spirit, and did cast out Spirits by the power of Beelzebub;* Mat. 21. 31.
Mar. 3. 30. neverthelesse I dare not precisely deny, but that even the Pharisees themselves might have repented and been forgiven, and that our Lord Jesus Christ peradventure might but take occasion at their blasphemy, which as yet was pardonable, to tell them further of an unpardonable blasphemy, whereinto hee foresaw that the Jewes would fall. For it is plaine that many thousands at the first, professing Christian Religion, became afterwards wilfull Apostates, moved with no other cause of revolt, but meer indignation that the Gentiles should enjoy the benefit of the Gospel as much as they and yet not bee burthened with the yoke of *Moses* law. The Apostles by preaching had wonne them to Christ in whose name they embraced with great alacrity the full remission of their former sins and iniquities, they received by the Imposition of the Apostles hands *that Grace and Power of the Holy Ghost* whereby they cured diseases, Pro. Aſ. 2. 38. prophesied, spake with tongues; and yet in the end after all this they fell utterly away, renounced the mysteries of Christian Faith, blasphemed in their formall abjurations that most glorious and
3 Q blessed

Heb. 6. 6.

bleſſed Spirit; the gifts whereof themſelves had poſſeſt; and by this means ſunke their Soules in the gulfe of that unpardonable ſinne; whereof, as our Lord JESUS CHRIST had told them before hand; ſo the Apoſtle at the firſt appearance of ſuch their revolt, putteth them in minde againe, that falling now to their former blaſphemies, their ſalvation was irrecoverably gone: it was for them in this caſe impoſſible to bee renewed by any repentance; becauſe they were now in the ſtate of Sathan and his Angels; the Judge of quick and dead had paſſed his irrevocable ſentence againſt them. So great difference there is between Infidels unconverted and back-ſliders in this manner fallen away, that alwayes wee have hope to reclaime the one which onely hate whom they never knew; but to the other which know and blaſpheame, to them that with more then infernall malice accuſe both the ſcene brightneſſe of glory which is in him, and in themſelves the taſted goodneſſe of divine grace, as thoſe execrable Miſcreants did, who firſt received in extraordinary miraculous manner, and then in outrageous fort blaſphemed the Holy Ghost; abuſing both it and the whole Religion, which God by it did confirme and magnifie, to ſuch as wilfully thus ſinne, after ſo great light of the Truth and gifts of the Spirit, there remaineth juſtly no fruit or benefit to be expected by Chriffs Sacrifice.

Heb. 10. 26.

For

For all other offenders without exception or stint, whether they bee strangers that seek access, or followers that will make returne unto God, upon the tender of their repentance, the grant of his grace standeth everlastingly signed with his blood in the book of eternall life. That which in this case overterrifieth fearfull souls, is, a misconceit whereby they imagine every act which they doe knowing that they doe amisse, and every wilfull breach or transgression of Gods law, to bee meere sinne against the *Holy Ghost*, forgetting that the law of *Moses* it selfe ordained Sacrifices of expiation, aswell for faults presumptuously committed, as things wherein men offend by error.

Now there are on the contrary side others, who doubting not of Gods mercy toward all that perfectly repent, remaine notwithstanding scrupulous and troubled with continuall fear, least defects in their own repentance be a barre against them.

These cast themselves first into very great, and peradventure needlesse Agonies through misconstruction of things spoken about proportioning our griefes to our sinnes, for which they never thinke they have wept and mourned enough; yea, if they have not alwayes a streame of teares at command, they take it for a heart congealed and hardned in sinne, when to
keep

Jer. 6.26.

Mich. 1.8, 9.

Lament. 2. 18.

*Quam magna deliquimus, tam granditer
desileamus. Alto vulnere diligens & longa
medicina non desit; poenitentia crimine mi-
nor non sit. Cypr. de lapsis. Non levi a-
gendum est contritione, ut debita illa redi-
mantur, quibus mors aeterna debetur; nec
transitoria opus est satisfactione pro malis illis
propter quae paratus est ignis aeternus. Eu-
seb. Emissenus, vel potius Salv. f. 106.*

keep the wound of contrition
bleeding, they unfold the cir-
cumstances of their transgres-
sions, and endeavour to leave
nothing which may be heavy
against themselves. Yet doe
what they can, they are still
fearefull, least herein also they

Pf. 6. 6.

*Mat. 12. 42.
Act. 10. 31.*

doe not that which they ought and might. Come
to Prayer, their coldnesse taketh all heart and
courage from them with fasting; albeit their
flesh should bee withered and their blood clean
dried up, would they ever the lesse object, What
is this to *David's* humiliation? wherein notwith-
standing there was not any thing more then ne-
cessary. In works of Charity and Almsdeeds? it
is not all the world can perswade them they did
ever reach the poore bounty of the widdowes
two mites, or by many millions of leagues come
neere to the marke which *Cornelius* touched; so
farr they are off from the proud surmise of any
penitentiall supererogation in miserable wretch-
ed worms of the earth. Notwithstanding for as
much as they wrong themselves with over-rigo-
rous and extream exactions, by means whereof
they fall sometimes into such perplexities as can
hardly bee allayed: it hath therefore pleased
Almighty God in tender commiseration over
these imbecillities of men, to ordaine for their
Spiritual and Ghostly comfort, consecrated per-
sons

sons, which by sentence of power and authority given from above, may as it were out of his very mouth ascertain timourous and doubtfull mindes in their own particular, ease them of all their scrupulosities, leave them settled in peace, and satisfied touching the mercy of God towards them. To use the benefit of this help for our better satisfaction in such cases, is so naturall that it can bee forbidden no man, but yet not so necessary that all men should bee in case to need it.

They are of the two the happier therefore that can content and satisfie themselves by judging discreetly what they performe, and soundly what God doth require of them. For having that which is most materiall, the substance of Penitency rightly bred touching signes and tokens thereof, we may boldly affirme that they doe which imagine for every offence a certaine proportionable degree in the passions and griefes of minde, whereunto whosoever aspireth not, repenteth in vaine. That to frustrate mens Confessions and considerations of sinne, except every circumstance which may aggravate the same, bee unript and laid in the ballance, is a mercilesse extremity, although it bee true, that, as neere as we can, such wounds must be searched to the very bottome; last of all to set down the likestint, and to shut up the doores of mercy against

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gainst penitents, which come short thereof in the devotion of their prayers, in the continuance of their fasts, in the largeness and bounty of their Almes, or in the course of any other such like duties, is more then God himself hath thought meet, and consequently more then mortall men should presume to doe. That which God doth chiefly respect in mens penitency, is their hearts.

Jer. 29. 13.
Joel 2. 12.

Chrys. de re-
par. laps. lib.
ad Theodor.
De posit. dist.
3. c. Talis.

The heart is it which maketh repentance sincere, sincerity that which findeth favour in Gods sight, and the favour of God that which supplieth by gracious acceptation whatsoever may seem defective in the faithfull, hearty and true offices of his servants. Take it (saith Chrys.) upon my credit, Such is Gods mercifull inclination towards men, that repentance offered with a single and sincere minde, hee never refuseth, no, not although wee bee come to the very top of iniquitie. If there bee a will and desire to return, he receiveth, imbraceth, omitteth nothing which may restore us to former happinesse; yea, that which is yet above all the rest, albeit wee cannot in the duty of satisfying him, attain what we ought, and would, but come farre behinde our marke, hee taketh neverthelesse in good worth that little which we doe; bee it never so meane, wee loose not our labour therein. The least and lowest steppe of Repentance in Saint Chrysostomes judgement severeth and setteth us above them that perish in their sinne. I therefore will end with Saint

Augustines

*Augustines conclusion. Lord, in thy Booke and
Volume of life all shall bee written, as well the least* Aug. in Ps.
138.
*of thy Saints, as the cheifest. Let not
therefore the unperfect feare; Let
them onely proceed and
go forward.*

FINIS.





O F
THE LAWES
O F

Ecclesiasticall Politie:

The eighth Book;

Containing their seventh Assertion:

That to no civill Prince or Governour, there may be given such power of Ecclesiasticall Dominion as by the Lawes of this Land belongeth unto the supreme Regent thereof.



WE come now to the last thing whereof there is controversie moved, namely the power of supreme jurisdiction, which for distinction sake we call the power of Ecclesiasticall dominion. It was not thought fit in the Jewes Common-wealth, that the exercise of Supremacy Ecclesiasticall should be denied unto him, to whom the exercise of Chieftie Civill did appertain; and therefore their Kings were invested with both. This power they gave unto Simon, when they *Maccab. 14.* consented that he should be their Prince, not onely

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to

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to set men over their works, and countrey, and weapons, but also to provide for the holy things; and that he should be obeyed of every man, and that the writings of the countrey should be made in his name; and that it should not be lawfull for any of the people or Priests to withstand his words, or to call any congregation in the countrey without him. And if happily it be surmised that thus much was given to *Simon*, as being both Prince and high Priest; which otherwise (being their *Civill Governor*) he could not lawfully have enjoyed: we must note, that all this is no more then the ancient Kings of that People had, being Kings and not Priests. By this power, *David*, *Asa*, *Iehosaphat*, *Iosias*, and the rest, made those Laws and Orders which sacred History speaketh of, concerning matters of meer Religion, the affaires of the Temple, and service of God. Finally had it not been by the vertue of this power, how should it possibly have come to passe, that the piety or impiety of the Kings did alwayes accordingly change the publique face of Religion; which things the Prophets by themselves never did, nor at any time could hinder from being done: had the Priests alone been possesse of all power in Spirituall affaires, how should any thing concerning matter of Religion have been made but only by them; in them it had been and not in the King to change the face of Religion at any time; the altering of Religion, the making of Ecclesiasticall Lawes, with other the like actions belonging unto the power of Dominion, are still termed *the deeds of the King*: to shew, that in him was placed the supremacy of power in this kind over all; and that

unto

unto their Priests the same was never committed, saving onely at such times as the Priests were also Kings and Princes over them. According to the pattern of which example, the like power in causes Ecclesiasticall is by the Lawes of this Realm annexed unto the Crown; and there are which doe imagine, that Kings being meere Lay-persons, doe by this means exceed the lawfull bounds of their callings; which thing to the end that they may perswade, they first make a necessary separation perpetuall and personall between *the Church* and *the Common-wealth*. Secondly, they so tie all kind of power Ecclesiasticall unto the *Church*, as if it were in every degree their only right; who are by proper spirituall functions termed *Church Governours*, and might not unto *Christian Princes* in any wise appertaine. To lurk under shifting ambiguities and equivocations of words in matter of principall waight, is childish. A Church and a Common-wealth we grant, are things in nature one distinguished from the other: a Common-wealth is one way, and a Church an other way defined. In their opinions the Church and Common-wealth are corporations, not distinguished onely in nature and definition, but in substance perpetually severed: so that they which are of the one, can neither appoint, nor execute, in whole nor in part, the duties which belong to them which are of the other, without open breach of the Law of God which hath divided them; and doth require, that so being divided, they should distinctly or severally work, as depending both upon God, and not hanging one upon the others approbation. For that which either hath to doe, we say that

the care of Religion being common to all societie^s Politique, such societies as do embrace the true Religion have the name of the Church given unto every one of them for distinction from the rest: so that every body Politique hath some Religion, but the Church that Religion which is onely true. *Truth* of Religion is the proper difference whereby a Church is distinguished from other Politique societies of men; we here meane true Religion in grosse, and not according to every particular; for they which in some particular points of Religion doe sever from the truth, may neverthelesse truly (if we compare them to men of an heathenish Religion) be said to hold and professe that Religion which is true. For which cause there being of old so many Politique societies stablished through the world, onely the Common-wealth of Israel which had the truth of Religion, was in that respect the Church of God: and the Church of Jesus Christ is every such Politique society of men, as doth in Religion hold that truth which is proper to Christianity. As a Politique society it doth maintain Religion, as a Church, that Religion which God hath revealed by Jesus Christ: with us, therefore the name of a Church importeth onely a society of men, first united into some publique forme of Regiment, and secondly distinguished from other societies by the exercise of Religion. With them on the other side, the name of the Church in this present question, importeth not onely a multitude of men so united, and so distinguished, but also further, the same divided necessarily and perpetually from the body of the Common-

mon-wealth :so that even in such a Politique society as consisteth of none but Christians , yet the Church and Common-wealth are two Corporations, independently subsisting by it self.

We hold, that seeing there is not any man of the Church of *England*, but the same man is also a member of the Common-wealth ; nor any member of the Common-wealth, which is not also of the Church of *England*. Therefore, as in a figure Triangle, the Base doth differ from the Sides thereof, and yet one and the self same Line is both a Base and also a Side, a Side simply, a Base if it chance to be the bottom and underly the rest. So albeit, properties and actions of one doe cause the name of a Common-wealth ; qualities and functions of another sort, the name of the Church to be given to a multitude ; yet one and the self same multitude may in such sort be both. Nay, it is so with us, that no person appertaining to the one, can be denied also to be of the other : contrariwise, unlesse they against us should hold that the Church and the Common-wealth are two, both distinct and separate societies ; of which two, one comprehendeth alwayes persons not belonging to the other, (that which they doe) they could not conclude out of the difference between the Church and the Common-wealth, namely that the Bishops may not meddle with the affaires of the Common-wealth, because they are Governors of another Corporation, which is the Church ; nor Kings , with making Lawes for the Church , because they have government not of this Corporation, but of another divided from it ; the Common-wealth and the walls of

separation between these two, must for ever be upheld: they hold the necessity of personall separation which cleane excludeth the power of one mans dealing with both; we of naturall, but that one and the same person may in both bear principall sway.

The causes of common received errors in this point seeme to have been especially two: one, that they who embrace true Religion, living in such Common-wealths as are opposite thereunto; and in other publique affaires, retaining civill communion with such as are constrained for the exercise of their Religion, to have a severall communion with those who are of the same Religion with them. This was the state of the Jewish Church both in *Egypt* and *Babylon*; the state of Christian Churches along time after Christ. And in this case, because the proper affaires and actions of the Church, as it is the Church, hath no dependance on the Lawes, or upon the Government of the Civill State; an opinion hath thereby growne, that even so it should be alwayes: this was it which deceived *Allen* in the writing of his *Apolo- gy*; *The Apostles* (saith he) *did govern the Church in Rome when Nero bare rule, even as at this day in all the Churches dominions: the Church hath a spirituall regiment without dependance, and so ought she to have amongst heathens, or with Christians.* Another occasion of which misconceit is, That things appertaining to Religion are both distinguished from other affairs, and have alwayes had in the Church spirituall persons chosen to be exercised about them. By which distinction of Spirituall affaires, and persons therein employed from Temporall, the error of personall separation

separation alwayes necessary betweene the Church and Common-wealth hath strengthened it self. For of every Politique society, that being true which *Aristotle* saith, namely, *That the scope thereof is not simply to live, nor the duty so much to provide for the life, as for means of living well*: And that even as the soule is the worthier part of man, so humane societies are much more to care for that which tendeth properly to the soules estate, then for such temporall things which the life hath need of. Other prooffe there needeth none to shew, that as by all men the kingdom of God is to be sought first, for so in all Common-wealths, things spirituall ought above temporall to be sought for; and of things spirituall, the chiefest is Religion. For this cause, persons and things employed peculiarly about the affaires of Religion, are by an excellency termed spirituall. The Heathens themselves had their spirituall lawes, and causes, and affaires, alwayes severed from their temporall; neither did this make two independent estates among them: God by revealing true Religion doth make them that receive it his Church. Unto the *Jewes* hee so revealed the truth of Religion, that he gave them in speciall considerations, Lawes, not onely for the administration of things spirituall, but also temporall. The Lord himselfe appointing both the one and the other in that Common-wealth, did not thereby distract it into severall independent communities, but institute severall functions of one and the self same community: some reasons therefore must there be alleadged why it should bee otherwise in the Church of Christ.

*Arist. polit. lib. 3.
cap. 16.*

Maccab. 7.

*Arist. pol. lib. 3.
cap. 20.
Livius lib. 1.*

Three kinds of
their proofes
are taken from
the difference
of affaires and
offices,

I shall not need to spend any great store of words in answering that which is brought out of the holy Scripture, to shew that Secular and Ecclesiasticall affaires and offices are distinguished; neither that which hath been borrowed from antiquity, using by phrase of speech to oppose the Common-weale to the Church of Christ: neither yet their reasons which are wont to be brought forth as witnesses, that the Church and Common-weale were alwayes distinct; for whether a Church or Common-weal do differ, is not the question we strive for; but our controversie is concerning the kind of distinction, whereby they are severed the one from the other; whether as under heathen Kings the Church did deale with her owne affaires within her self, without depending at all upon any in Civill authority; and the Common-weal in hers, altogether without the privity of the Church: so it ought to continue still even in such Common-weals as have now publicquely embraced the truth of Christian Religion; whether they ought evermore to be two societies in such sort, severall and distinct. I aske therefore what society was that in *Rome*, whereunto the Apostle did give the name of the Church of *Rome* in his time? If they answer (as needs they must) that the Church of *Rome* in those dayes was that whole society of men, which in *Rome* professed the name of Christ, and not that Religion which the Lawes of the Common-weal did then authorize; we say as much, and therefore grant, that the Common weale of *Rome* was one society, and the Church of *Rome* another, in such sort that there was between them no mutuall dependence. But when
whole

whole *Rome* became Christian where they all embraced the Gospel, and made Lawes in defence thereof, if it be held that the Church and Common-weale of *Rome* did then remaine as before, there is no way how this could be possible, save only one, and that is, They must restraine the name of a Church in a Christian Common-weale to the Clergy, excluding all the rest of believers both Prince, and people; For if all that believe be continued in the name of the Church, how should the Church remaine by personall subsistence divided from the Common-weale, when the whole Common-weale doth believe? The Church and the Common-weale are in this case therefore personally one society, which society being termed a Common-weale as it liveth under whatsoever form of secular Law and Regiment, a Church as it liveth under the spirituall Law of Christ; For so much as these two Lawes containe so many and different Offices, there must of necessity be appointed in it some to one charge, and some to another, yet without deviding the whole, and making it two severall impaled Societies.

The difference therefore either of affairs or offices Ecclesiasticall from secular, is no argument that the Church and Common-Weale are alwayes seperate and independent, the one on the other; which thing even *Allaine* himselfe considering somewhat better, doth in this point a little correct his former judgement before mentioned, and confesseth in his defence of English Catholicks, that the power politicall hath her Princes, Lawes, Tribunalls; the spirituall her Prelates, Canons, Councels, Judgements; and

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those

1 Chron. 14. 8.

11.

Heb. 5. 1.

Allaine, lib. 31.

p. 151.

2 Taken from
the speeches
of the Fathers
opposing the
one to the o-
ther.

Enf. b. de vita
Conflan. lib. 2.
Aug. Epist. 167.

those (when the temporall Princes are Pagans) wholly separate, but in Christian Common-weals joyned; though not confounded. Howbeit afterwards his former sting appeareth againe; for in a Common-wealth he holdeth, that the Church ought not to depend at all upon the authority of any Civill person whatsoever, as in *England* he saith it doth.

It will be objected that the Fathers doe oftentimes mention the Common-weale and the Church of God, by way of opposition. Can the same thing bee opposed to it selfe? If one and the same society, be both Church and Common-wealth, what sence can there be in that speech, *that they suffer and flourish together*? what sence is that which maketh one thing to be adjudged to the Church, and another to the Common wealth? Finally, in that which putteth a difference between the causes of the Province and the Church, doth it not hereby appeare, that the Church and the Common-weale, are things evermore personally separate? No, it doth not hereby appeare that there is not perpetually any such separation; wee speak of them as two, wee may sever the rights and the causes of the one well enough from the other, in regard of that difference which we grant is between them, albeit we make no personall difference. For the truth is, that the Church and the Common-wealth, are names which import things really different; but those things are accident, and such accidents as may and alwayes should lovingly dwell together in one subject. Wherefore the reall difference between the accidents signified by these names, doth not prove different subjects for them
alwayes.

alwayes to reside in. For albeit the subjects wherein they be resident be sometimes different, as when the people of God have their residence among Infidels; yet the nature of them is not such, but that their subject may be one; and therefore it is but a changeable accident in those accidents they are to be divers: There can be no error in our conceit concerning this point, if we remember still what accident is, for which a society hath the name of a Common-wealth, and what accident that which doth cause it to be termed a Church: a Common-wealth, wee name it simply in regard of some regiment or pollicy under which men live; a Church for the truth of that Religion which they professe. Now names betokening accidents inabstracted, betoken not only the accidents themselves, but also together with them subjects whereunto they cleave. As when we name a School master and a Physitian, those names doe not only betoken two accidents, teaching and curing, but also some person or persons in whom those accidents are. For there is no impediment but both may be in one man, as well as they are for the most part divers. The Common-weale and the Church therefore being such names, they doe not onely beroken these accidents of Civill Government and Christian Religion, which we have mentioned, but also together with them such multitudes as are the subjects of those accidents. Again, their nature being such as they may well enough dwell together in one subject, it followeth that their names though alwayes imploying that difference of accidents that hath been set down, yet doe not alwayes

imply different subjects also. When we oppose therefore the Church and the Common-wealth in Christian Society, we mean by the Common-wealth that Society with relation to all the publike affaires thereof, only the matter of true Religion excepted: By the Church the same Society with only reference unto the matter of true Religion, without any affaires; besides, when that Society which is both a Church and a Common-wealth, doth flourish in those things which belong unto it as a Common-wealth, we then say, the Common-wealth doth flourish; when in both them, we then say, the Church and Common-wealth doe flourish together.

Esay. I. 21.

Mal. I. 8.

1 Chron. 29. 3.

Nehem. 2. 27.

Act. 18. 14.

The Prophet *Esay* to note corruptions in the Common-wealth, complaineth, *That where justice and judgement had lodged, now were murtherers; Princes were become Companions of Theeves, every one loved gifts, and rewards; but the Fatherlesse was not judged, neither did the widdowes cause come before them.* To shew abuses in the Church, *Malachy* doth make his complaint, *Yee offer unclean bread upon mine Altar. If yee offer the blinde for sacrifice, it is not evill as yee think; if the lame and the sick, nothing is amisse.* The Treasure which *David* bestowed upon the Temple, did argue the love which he bare unto the Church: The pains which *Nehemiah* took for building the wals of the City, are tokens of his care for the Common-wealth. Causes of the Common-wealth, or Province, are such as *Gallio* was content to be judge of. *If it were a matter of wrong, or an evill deed (O ye Iewes) I would according to reason maintaine you.* Causes of the Church, are such as *Gallio* there reciteth;
If

if it be a question of your Law, look ye to it, I will be no Iudge thereof : In respect of this difference therefore the Church and the Common-wealth, may in speech be compared or opposed aptly enough the one to the other ; yet this is no argument, that they are two independent Societies.

Some other reasons there are which seem a little more neerly to make for the purpose, as long as they are but heard, and not sifted : For what though a man being severed by Excommunication from the Church, be not thereby deprived of freedom in the city, or being there discommoned, is not therefore forthwith Excommunicated and excluded the Church ? What though the Church be bound to receive them upon repentance, whom the Common-weale may refuse againe to admit ? If it chance the same man to be shut out of both, division of the Church and Common-weale which they contend for, will very hardly hereupon follow : For we must note that members of a Christian Common-weale have a triple state, a naturall, a civill, and a spirituall : No mans naturall estate is cut off otherwise then by that capitall execution. After which, he that is none of the body of the Common-wealth, doth not I think remaine fit in the body of that visible Church. And concerning mans civill estate, the same is subject partly to inferiour abatements of liberty, and partly to dimunition in the highest degree, such as banishment is ; sith it casteth out quite and clean from the body of the Common-weale, it must needs also consequently cast the banished party even out of the very Church he was of before ; because that Church

3. Taken from the effect of punishment inflicted by the one or the other.

and the Common-weale he was of, were both one and the same Society; So that whatsoever doth utterly separate a mans person from the one, it separateth from the other also. As for such abatements of civill estate as take away only some priviledge, dignity, or other benefit, which a man enjoyeth in the Common-weale, they reach only to our dealing with publike affaires, from which what may let, but that men may be excluded, and thereunto restored again without diminishing or augmenting the number of persons, in whom either Church or Common-wealth consisteth. He that by way of punishment looseth his voyce in a publike election of Magistrates, ceaseth not thereby to be a Citizen; A man disfranchised may notwithstanding enjoy as a subject the common benefit of protection under Laws and Magistrates; so that these inferiour diminutions which touch men civilly, but neither doe cleane extinguish their estates, as they belong to the Common-wealth, or impaire a whit their condition as they are of the Church of God: These I say doe clearly prove a difference of the one from the other, but such a difference as maketh nothing for their surmise of distracted Societies.

And concerning Excommunication, it cutteth off indeed from the Church, and yet not from the Common-wealth; howbeit so that the party Excommunicate is not thereby severed from one body which subsisteth in it selfe, and retained by another in like sort subsisting; but he which before had fellowship with that Society whereof he was a member, as well touching things Spirituall as Civill, is now by force
of

of Excommunication, although not severed from the body in Civill affaires, reverthelesse for the time cut off from it as touching communion in those things which belong to the same body, as it is the Church: A man which having been both Excommunicated by the Church, and deprived of Civill dignity in the Common-wealth, is upon his repentance necessarily reunited into the one, but not of necessity into the other. What then? That which he is admitted unto, is a communion in things Divine, whereof both parts are partakers, that from which hee is with-held, is the benefit of some humane priviledge, or right, which other Citizens happily enjoy. But are not these Saints and Citizens, one and the same people, are they not one and the same Society? doth it hereby appeare that the Church which received an Excommunicate, can have no dependency on any person which hath cheife Authority and power of these things in the Common-wealth, whereunto the same party is not admitted. Wherefore to end this point, I conclude; First, that under the dominions of infidels, the Church of Christ, and their Common-wealth, were two Societies independent. Secondly, that in those Common-wealths, where the Bishop of *Rome* beareth sway, one Society is both the Church and the Common-wealth: But the Bishop of *Rome* doth divide the body into two divers bodies, and doth not suffer the Church to depend upon the power of any civill Prince and Potentate. Thirdly, that within this Realm of *England*, the case is neither as in the one, nor as in the other of the former.

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former two, but from the state of Pagans we differ; in that with us one Society is both the Church and Common-wealth, which with them it was not. As also from the state of those Nations which subjected themselves to the Bishop of *Rome*, in that our Church hath dependance from the chiefe in our Common-wealth, which it hath not when he is suffered to rule. In a word, our state is according to the pattern of Gods own antient elect people, which people was not part of them the Common-wealth, and part of them the Church of God; but the selfe same people whole and entire were both under one chiefe Governour, on whose Supream Authority they did all depend. Now the drift of all that hath been alleadged to prove perpetuall separation and independency between the Church and the Common-wealth, is, that this being held necessary, it might consequently be thought fit, that in a Christian Kingdom, he whose power is greatest over the Common-wealth, may not lawfully have supremacy of power also over the Church, that is to say, so farre as to order thereby and to dispose of spirituall affaires, so farre as the highest uncommanded Commander in them. Whereupon it is grown a question, whether Government Ecclesiasticall, and power of Dominion in such degrees as the Law of this Land doe grant unto the Sovereign Governour thereof, may by the said supream Governour lawfully be enjoyd and held: For resolution wherein we are, First, to define what the power of dominion is. Secondly, then to shew by what right. Thirdly, after what sort. Fourthly, in what measure: Fifthly, in what

what inconveniency. According to whose example Christian Kings may have it. And when these generalls are opened, to examine afterwards how lawfull that is which wee in regard of Dominion doe attribute unto our own: namely, the title of headship over the Church, so farre as the bounds of this Kingdome do reach. Secondly, the Prerogative of calling and dissolving great assemblies, about spirituall affaires publike. Thirdly, the right of assenting unto all those orders concerning Religion, which must after be in force as Law. Fourthly, the advancement of principall Church Governours to their roomes of Prelacy. Fifthly, iudiciall Authority higher then others are capable of. And sixthly, exemption from being punishable with such kind of Censures as the platform of Reformation doth teach, that they ought to be subject unto.

What the Power of Dominion is.

V Without order there is no living in publike Society, because the want thereof is the mother of confusion, whereupon division of necessity followeth, and out of division, destruction. The Apostle therefore giving instruction to publike Societies, requireth that all things be orderly done: Order can have no place in things, except it be settled amongst the persons that shall by office be conversant about them. And if things and persons be ordered, this doth imply that they are distinguished by degrees. For order is a graduall disposition: The whole world consisting of parts so many, so
Luke 22.
I Cor. 14.

different, is by this only thing upheld; hee which framed them hath set them in order: The very Deity it self both keepeth and requireth for ever this to be kept as a Law, that wheresoever there is a co-
augmentation of many, the lowest be knit unto the highest, by that which being interjacent, may cause each to cleave to the other, and so all to continue one. This order of things and persons in publike Societies, is the work of Policie, and the proper instrument thereof in every degree in power, power being that hability which we have of our selves, or receive from others for performance of any action. If the action which we have to perform be conversant about matters of meer Religion, the power of performing it is then spirituall; And if that power be such as hath not any other to over-rule it, we terme it Dominion, or Power Supream; so farre as the bounds thereof extend. When therefore Christian Kings are said to have Spirituall Dominion or Supream Power in Ecclesiasticall affaires and causes, the meaning is, that within their own Precincts and Territories, they have an Authority and Power to command even in matters of Christian Religion, and that there is no higher nor greater that can in those cases over-command them, where they are placed to raige as Kings. But withall we must likewise note that their power is termed supremacy, as being the highest, not simply without exception of any thing. For what man is so brain-sick, as not to except in such speeches God himselfe the King of all Dominion? who doubteth, but that the King who receiveth it, must hold it of, and order the Law according to
that

that old axiome, *Attribuat Rex legi, quod lex attribuit ei potestatem*: And againe, *Rex non debet esse sub homine, sed sub deo & lege*. Thirdly, whereas it is altogether without reason, *That Kings are judged to have by vertue of their Dominion, although greater power then any, yet not then all the state of those Societies conjoyned, wherein such Sovereign rule is given them*; there is not any thing hereunto to the contrary by us affirmed, no not when we grant supream Authority unto Kings; because Supremacy is not otherwise intended or meant to exclude partly forraign powers, and partly the power which belongeth in severall unto others, contained as parts in that politick body, over which those Kings have Supremacy; *where the King hath power of Dominion, or Supream Power, there no forraigne State, or Potentate, no State or Potentate Domestickall, whether it consisteth of one or many, can possibly have in the same affaires and causes Authority higher then the King*. Power of Spirituall Dominion, therefore is in causes Ecclesiasticall that ruling Authority, which neither any forraigne State, nor yet any part of that politick body at home, wherein the same is established, can lawfully over rule. It hath been declared already in generall, *how the best established Dominion is, where the Law doth most rule the King*; the true effect whereof particularly is found as well in Ecclesiasticall as civill affaires: In these the King, through his Supream Power, may doe sundry great things himself, both appertaining to Peace and Warre, both at home, and by command, and by commerce with States abroad, because the Law doth so much permit. Sometimes on the other side, *The*

King alone hath no right to doe without consent of his Lords and Commons in Parliament: The King himself cannot change the nature of Pleas, nor Courts, no not so much as restore blood; because the Law is a barre unto him; the positive Lawes of the Realm have a priviledge therein, and restraine the Kings Power; which positive Lawes, whether by custome or otherwise established without repugnancy to the Lawes of God, and nature, ought not lesse to be in force even in supernaturall affaires of the Church, whether in regard of Ecclesiasticall Lawes; we willingly embrace that of Ambrose, *Imperator bonus intra Ecclesiam, non supra Ecclesiam est.* Kings have Dominion to exercise in Ecclesiasticall causes, but according to the Lawes of the Church; whether it bee therefore the nature of Courts, or the form of Pleas, or the kinde of Governours, or the order of proceeding in whatsoever businesse, for the received Laws and Liberty of the Church, The King hath Supream Authority and power, but against them never; What such positive Lawes have appointed to be done by others then the King, or by others with the King, and in what form they have appointed the doing of it, the same of necessity must bee kept; neither is the Kings sole Authority to alter it; yet as it were a thing unreasonable, if in civill affaires the King, albeit the whole universall body did joyn with him, should doe any thing by their absolute power for the ordering of their state at home, in prejudice of those antient Lawes of Nations, which are of force throughout all the World, because the necessary commerce of Kingdomes dependeth on them; So in principall matters belonging

belonging to Christian Religion, a thing very scandalous and offensive it must needs be thought, if either Kings or Lawes should dispose of the Law of God, without any respect had unto that which of old hath beene reverently thought of throughout the World, and wherein there is no Law of God which forceth us to swerve from the wayes wherein so many and holy Ages have gone: Wherefore not without good consideration, the very Law it selfe hath provided, *That Iudges Ecclesiasticall appointed under the Kings Commission, shall not adjudge for heresie any thing but that which heretofore hath been adjudged by the Authority of the Canonick Scriptures, or by the first foure generall Councils, or by some other generall Councell, wherein the same hath been declared heresy, by the expresse words of the said Canonick Scriptures, or such as hereafter shall be determined to be heresie by the High Court of Parliament of this Realm, with the assent of the Clergy in the Convocation, Ann. 1. Reg. Eliz.* By which words of the Law, who doth not plainly see, how that in one branch of proceeding by vertue of the Kings Supream Authority, the credit which those foure first generall Councils have throughout all Churches, and evermore had, was judged by the making of the foresaid Act a just cause wherefore they should bee mentioned in that case, as a requisite part of that rule where-with Dominion was to be limited. But of this wee shall further consider, when wee come unto that which Sovereigne Power may doe in making Ecclesiasticall Lawes.

Unto which Supream Power in Kings, two kinds
V 3 of

The Right
which men
give, God
ratifies.

of Adversaries there are which have opposed themselves : one sort defending *that Supream power in causes Ecclesiasticall throughout the world, appertaineth of Divine Right to the Bishop of Rome* : Another sort, *That the said Power belongeth in every Nationall Church unto the Clergy thereof assembled*. We which defend as well against the one, as against the other, *That Kings within their own Precincts may have it*, must shew by what right it must come unto them. First, unto me, it seemeth almost out of doubt and controversie, that every independent multitude before any certaine form of Regiment established, hath under God Supream Authority, full Dominion over it selfe, even as a man not tyed with the band of subjection as yet unto any other, hath over himselfe the like power. God creating mankinde, did endue it naturally with power to guide it selfe, in what kinde of Society forever he should chuse to live. A man which is borne lord of himselfe, may be made an others servant. And that power which naturally whole societies have, may bee derived unto many, few, or one; under whom the rest shall then live in subjection: Some multitudes are brought into subjection by force, as they who being subdued, are faine to submit their necks unto what yoke it pleaseth their Conquerors to lay upon them; which Conquerors by just and lawfull Waires doe hold their Power over such multitudes, as a thing descending unto them; Divine Providence it selfe so disposing. For it is God who giveth victory in the day of Warre, and unto whom Dominion in this sort is derived, the same they enjoy according to the Law of Nations; which
Law

Law Authorizeth Conquerours to raig as absolute Lords over them whom they vanquish. Sometimes it pleaseth God himselfe by speciall appointment to chuse out and nominate such, as to whom Dominion shall be given; which thing he did often in the Common-wealth of *Israel*: They which in this sort receive power immediately from God, have it by meer Divine Right; they by humane, on whom the same is bestowed, according to mens discretion, when they are left freely by God to make choise of their own Governours. By which of these meanes soever it happen, that Kings or Governours be advanced unto their Estates, we must acknowledge both their lawfull choise to be approved of God, and themselves to be Gods Lieutenants; and confesse their Power which they have to be his. As for Supream Power in Ecclesiasticall affaires, the Word of God doth nowhere appoint that all Kings should have it, neither that any should not have it; for which cause, it seemeth to stand altogether by humane Right, that unto Christian Kings there is such Dominion given.

Corona est potestas delegata a deo. Bracton.

Againe, on whom the same is bestowed at mens discertions, they likewise do hold it by Divine Right: If God in his revealed Word, hath appointed such Power to be, although himselfe extraordinarily bestow it not, but leave the appointment of persons to men; yea, albeit God doe neither appoint nor assign the person: neverthelesse, when men have assigned and established both, who doth doubt but that sundry duties and affaires depending thereupon are prescribed by the Word of God, and consequently by that very right to be exacted? for example sake,

sake, the power which *Romane* Emperours had over forraine Provinces, was not a thing which the Law of God did ever Institute : Neither was *Tiberius Caesar* by especiall commission from heaven therewith invested, and yet payment of Tribute unto *Caesar* being now made Emperour, is the plaine Law of Jesus Christ : unto Kings by humane Right, honour by very Divine Right, is due ; mans Ordinances, are many times proposed as grounds in the Statutes of God : And therefore of what kinde soever the meanes bee, whereby Governours are lawfully advanced to their States, as wee by the Lawes of God, stand bound meekly to acknowledge them for Gods Lieutenants ; and to confesse their Power his : So by the same Law they are both authorized, and required to use that Power as farre as it may be in any State availeable to his honour. The Law appointeth no man to be a husband ; but if a man hath betaken himselfe unto that condition, it giveth him Power & Authority over his own wife. That the Christian world should be ordered by the Kingly Regiment, the Law of God doth not anywhere command : and yet the Law of God doth give them, which once are exalted unto that place of Estate, right to exact at the hands of their Subjects generall obedience in whatsoever affaires their Power may serve to command, and God doth ratifie works of that Sovereign Authority, which Kings have received by men. This is therefore the right whereby Kings doe hold their Power ; but yet in what sort the same doth rest and abide in them, it somewhat behoveth further to search, wherein that wee be not enforced

enforced to make overlarge discourses about the different conditions of Sovereign or Supream Power; that which we speak of Kings shall be in respect of the State, and according to the nature of this Kingdom, where the People are in no subjection, but such as willingly themselves have condescended unto for their own most behoofe and security. In Kingdoms therefore of this quality, the highest Governour hath indeed universall Dominion, but with dependency upon that whole entire body, over the severall parts whereof hee hath Dominion: so that it standeth for an axiome in this case; The King is *Major singulis, universis minor*. The Kings dependency, we doe not construe as some have done, who are of opinion that no mans birth can make him a King, but every particular person advanced to such Authority, hath at his entrance into his Raig, the same bestowed on him as an estate in condition by the voluntary deed of the people, in whom it doth lie to put by any one, and to preferre some other before him, better liked of or judged fitter for the place, and that the party so rejected hath no injury done unto him; no although the same be done in a place where the Crown doth goe *μὴν γένε* by succession, and to a person which is capitall and hath apparently if blood be respected the nearest right. They plainly affirm in all well appointed Kingdomes, the custome evermore hath been, and is, that children succeed not their Parents, till the People after a sort have created them anew, neither that they grow to their Fathers as naturall and proper Heirs, but are then to bee reckoned for Kings, when at the hands of such as

X

represent

*Iunius Brutus
vindic. pag. 83.*

Pag. 85.

represent the Kings Majesty, they have by a Scepter and a Diadem received, as it were, the investiture of Kingly power: Their very words are, *That where such power is settled into a family or kindred, the stock it self is thereby chosen, but not the twig that springeth of it. The next of the stocke unto him that raigneth, are not through nearnesse of bloud made Kings, but rather set forth to stand for the kingdome; where Regall Dominion is hereditary, it is notwithstanding (if we looke to the persons which have it) altogether elective.* To this purpose are selected heaps of Scriptures concerning the solemne Coronation or Inauguration of *Saul*, of *David*, of *Solomon*, and others, by the Nobles, Ancients, and people of the Common-weale of Israel; as if these solemnities were a kind of deed, whereby the right of Dominion is given, with strange, untrue, and unnaturall conceits, set abroad by seedf-men of Rebellion, onely to animate unquiet spirits, and to feed them with possibility of aspiring to Thrones, if they can win the hearts of the people, what hereditary title soever any other before them may have. I say unjust and insolent positions, I would not mention, were it not thereby to make the countenance of truth more orient; for unlesse we will openly proclaime defiance unto all law, equity, and reason, we must (there is no remedy) acknowledge, that in kingdomes hereditary, birth giveth right unto soveraigne Dominion; and the death of the predecessor putteth the successour by bloud in seisin. Those publique solemnities before specified, doe but serve for an open testification of the inheritours right, or belong unto the forme of inducting him into possession.

session of that thing he hath right unto: therefore, in case it doth happen, that without right of bloud a man in such wise be possessed, all these new elections and investings are utterly void; they make him no indefeasible estate, the inheritour by bloud may dispossesse him as an usurper. The case thus standing, albeit wee judge it a thing most true, that Kings, even inheritours, doe hold their right in the power of Dominion, with dependency upon the whole body politique, over which they have rule as Kings; yet so it may not be understood as if such dependency did grow, for that every supreme Governour doth personally take from thence his power by way of gift, bestowed of their owne free accord upon him at the time of his entrance into the said place of his soveraigne Government. But the cause of dependency is that first originall conveyance, when power was derived from the whole into one; to passe from him unto them, whom out of him nature by lawfull births should produce, and no naturall or legall inability make incapable: *Neither can any man with reason thinke, but that the first institution of Kings, a sufficient consideration wherefore their power should alwayes depend on that from which it did alwayes flow by originall influence of power, from the body into the King, is the cause of Kings dependency in power upon the body.* By dependency we mean subordination and subjection: A manifest token of which dependency maybe this; as there is no more certaine argument, that lands are held under any as Lords, then if we see that such lands in defect of heirs fall unto them by escheat: In like manner it

Tully de Offic.

doth follow rightly, that seeing Dominion when there is none to inherit it, returneth unto the body; therefore, they which before were inheritours thereof, did hold it with dependency upon the body; so that by comparing the body with the head, as touching power, it seemeth alwayes to reside in both; fundamentally and radically in the one, in the other derivatively; in the one the habit, in the other the act of power. May a body politique then at all times, withdraw in whole or in part the influence of Dominion which passeth from it, if inconveniences doe grow thereby? It must be presumed, that supreme Governours will not in such case oppose themselves, and be stiffe in detaining that, the use whereof is with publique detriment: but surely without their consent I see not how the body by any just meanes should be able to help it self, saving when Dominion doth escheat; such things therefore must be thought upon before hand, that Power may be limited ere it be granted, which is the next thing we are to consider.

In what measure.

IN power of Dominion, all Kings have not an equall latitude: Kings by conquest make their owne Charter; so, that how large their power, either Civill or Spirituall, is, we cannot with any certainty define further, then onely to set them in the line of the law of God and Nature for bounds. Kings by Gods own speciall appointment, have also that largenesse of power which he doth assigne or permit with approbation touching Kings which were first instituted by agree-

agreement and composition made with them over whom they raigre, how farre their power may extend; the Articles of compact betweene them is to shew, not onely the Articles of compact at the first beginning, which for the most part are either cleane worne out of knowledge, or else known to very few; but whatsoever hath been after in free and voluntary manner condescended unto, whether by expresse consent, (whereof positive lawes are witnesses,) or else by silent allowance, famously notified through custome, reaching beyond the memory of man. By which meanes of after agreement, it cometh many times to passe in Kingdomes, that they whose ancient predecessours were by violence and force made subject, do by little and little grow into that sweet forme of Kingly Government, which Philosophers define, *Regency willingly sustained, and indued with Chieftie of power in the greatest things*. Many of the ancients in their writings do speak of Kings with such high and ample termes, as if universality of power, even in regard of things and not of persons, did appertaine to the very being of a King: The reason is, because their speech concerning Kings, they frame according to the state of those Monarchs, to whom unlimited authority was given; which some not observing, imagine, that all Kings, even in that they are Kings, ought to have whatsoever power they judge any soveraign Ruler lawfully to have enjoyed. But the most judicious Philosopher, whose eye scarce any things did escape which was to be found in the bosome of nature, he considering how farre the power of one soveraign Ruler may be different from another

*Arist pol. lib. 3.
cap. 1.*

*Pythagoras
apud Erdantio
de regno.*

Regall authority, noteth in *Spartan Kings*, That of all others they were most tyed to Law, and so the most restrained Power. A King which hath not supreme power in the greatest things, is rather intituled a King, then invested with reall Sovereignty. We cannot properly terme him a King, of whom it may not be said, at the least wise, as touching certaine the chiefeſt affaires of the State, ἀρχεν ἀρχεσθαι καὶ ἐδεσθαι, his right in them is to have rule, not subject to any other predominancy. I am not of opinion that simply in Kings the most, but the best limited power is best, both for them and the people: the most limited is that which may deale in fewest things: the best, that which in dealing is tyed unto the foundest, perfectest, and most indifferent Rule, which rule is the Law: I meane not onely the law of Nature, and of God; but the Nationall law consonant thereunto. Happier that people whose Law is their King in the greatest things, then that whose King is himselfe their Law: where the King doth guide the State, and the Law the King, that Common-wealth is like an harp or melodious instrument, the strings whereof are tuned and handled all by one hand, following as Lawes, the Rules and Canons of Musically science. Most divinely therefore Archytas maketh unto publique felicity these four steps and degrees, every of which doth spring from the former as from another cause, ὁ δὲ βασιλεὺς νόμιμος, ὁ δὲ ἄρχων ἀκόλουθος, ὁ δὲ ἄρχμενος ἀπόλυτος, ἢ δὲ ὅλη χοινωνία εὐδαίμων. The King ruling by Law, the Magistrate following, the Subject free, and the whole society happy. Adding on the contrary side, that where this order is not, it cometh by transgression thereof to passe that a King groweth

a Tyrant; he that ruleth under him abhorreth to be guided by him or commanded; the people subject unto both, have freedom under neither, and the whole community is wretched. In which respect, I cannot chuse but commend highly their wisdom, by whom the foundations of the Common-wealth have been laid; wherein, though no manner of person, or cause, be unsubject unto the Kings power, yet so is the power of the King over all, and in all limited, that unto all his proceedings the Law it selfe is a rule. The Axiomes of our Regall government are these, *Lex facit Regem*: The Kings grant of any favour made contrary to Law, is void. *Rex nihil potest nisi quod jure potest*: Our Kings therefore, when they are to take possession of the crown they are called unto, have it pointed out before their eyes, even by the very solemnities and rites of their inauguration, to what affaires by the same Law their supreme power and authority reacheth; crowned we see they are, enthronized and anointed; the Crown a signe of a Military Dominion; the Throne of Sedentary or Judiciall; the Oyl of Religious and Sacred Power. It is not on any side denyed, that Kings may have authority in secular affaires. The question then is, *What power they may lawfully have, and exercise in causes of God.* A Prince, or Magistrate, or a Community, (saith Dr. Stapleton) may have power to lay corporall punishment on them which are teachers of perverse things; power to make lawes for the peace of the Church; power to proclaim, to defend, and even by revenge to preserve dogmata the very Articles of Religion themselves from violation. Others in affection no lesse devoted unto the Papacy, doe

Stapl de Do.
princip. l. 5. c. 17.

doe likewise yeeld, that the Civill Magistrate may by his Edicts and Lawes keep all Ecclesiasticall persons within the bounds of their duties, and constrain them to observe the Canons of the Church, to follow the rule of ancient Discipline. That if *Ioash* was commended for his care and provision concerning so small a part of Religion, as the Church treasure ; it must needs be both unto Christian Kings themselves greater honour, and to Christianity a larger benefit, when the custody of Religion, and the worship of God in generall is their charge. If therefore all these things mentioned, be most properly the affaires of Gods Ecclesiasticall causes ; if the actions specified be works of power ; and if that power be such as Kings may use of themselves, without the fear of any other power superiour in the same thing ; it followeth necessarily, that Kings may have supreme power, not onely in Civill, but also in Ecclesiasticall affaires ; and consequently, that they may withstand what Bishop, or Pope soever shall under the pretended claime of higher Spirituall authority, oppose themselves against their proceedings. But they which have made us the former grant, will never hereunto condescend ; what they yeeld that Princes may do, it is with secret exception alwayes understood, if the Bishop of *Rome* give leave, if hee interpose no prohibition ; wherefore, somewhat it is in shew, in truth nothing which they grant. Our owne Reformers doe the very like, when they make their discourse in generall, concerning the authority which Magistrates may have, a man would think them to be farre from withdrawing any jot of that, which with
reason

reason may be thought due. *The Prince and Civil Magistrate* (saith one of them) bath to see the lawes of God, touching his worship, and touching all matters, and all orders of the Church to be executed, and duly observed; and to see every Ecclesiasticall person doe that office, whereunto he is appointed; and to punish those which faile in their office accordingly. Another acknowledgeth, That the Magistrate may lawfully uphold all truth by his Sword, punish all persons, enforce all to their duties towards God and men; Maintaine by his Lawes, every point of Gods word, punish all vice in all men; see into all causes, visit the Ecclesiasticall estate, and correct the abuses thereof: Finally to looke to his Subjects, that under him they may lead their lives in all godlinesse and honesty. A third more frankly professeth, That in case their Church Discipline were establisshed, so little it shortneth the armes of soveraigne Dominion in causes Ecclesiasticall, that her gracious Majesty for any thing they teach or hold to the contrary, may no lesse then now remaine still over all persons, in all things supreme Governesse; even with that full and Royall authority, superiority, and preheminance, supremacy, and prerogative, which the Lawes already establisshed doe give her; and her Majesties Injunctions, and the Articles of the Convocation house, and other writings Apologeticall of her Royall Authority, and supreme Dignity, doe declare and explaine. Possidomius was wont to say of the Epicure, That he thought there were no Gods, but that those things which he spake concerning the Gods, were onely given out for feare of growing odious amongst men: and therefore that in words he left Gods remaining, but in very deed overthrew them, in so much as hee gave them no kind of action.

T.C.J. 1. p. 192

Farmers def. of the godly Magistrate.

Humble motion p. 63.

Cicero lib. I, de nat. Deor.

Y

After

After the very selfe same manner, when we come unto those particular effects, Prerogatives of Dominion which the Lawes of this Land doe grant unto the Kings thereof, it will appeare how these men, notwithstanding their large and liberall speeches, abate such parcels out of the afore alleadged grant and flourishing shew, that a man comparing the one with the other, may halfe stand in a doubt, least their opinion in very truth bee against that Authority, which by their speeches they seeme mightily to uphold, partly for the voyding of publike obloquy, envie and hatred, partly to the intent they may both in the end by the establishment of their Discipline, extinguish the force of Supream Power, which Princes have, and yet in the meane while, by giving forth these smooth Discourses, obtaine that their favourers may have somewhat to alleadge for them by way of apology, and that such words only sound towards all kinde of fulnesse of Power. But for my selfe, I had rather construe such their contradictions in the better part, and impute their generall acknowledgment of the lawfulnessse of Kingly Power, unto the force of truth, presenting it selfe before them sometimes above their particular contrarieties, oppositions, denyalls, unto that error which having so fully possesse their minds, casteth things inconvenient upon them; of which things in their due place. Touching that which is now in hand, we are on all sides fully agreed, First, that there is not any restraint or limitation of matter for regall Authority and Power to be conversant in, but of Religion onely; and of whatsoever cause thereunto apper-

appertaineth Kings may lawfully have charge, they lawfully may therein exercise Dominion, and use the temporall sword. Secondly, that some kinde of actions conversant about such affaires are denyed unto Kings: As namely, actions of Power and Order, and of Spirituall Jurisdiction, which hath with it inseparably joyned Power to administer the Word and Sacraments, power to Ordaine, to judge as an Ordinary, to binde and loose, to Excommunicate, and such like. Thirdly, that even in those very actions, which are proper unto Dominion, there must be some certain rule whereunto Kings in all their proceedings ought to be strictly tyed; which rule for proceeding in Ecclesiasticall affaires and causes by Regall Power, hath not hitherto been agreed upon with such uniform consent, and certainty as might be wished. The different sentences of men herein I will now goe about to examine, but it shall be enough to propose what rule doth seem in this case most reasonable.

Kinds.

By what rule.

The case of deriving Supream Power from a whole intire multitude into some speciall part thereof; as partly the necessity of expedition in publike affaires, partly the inconvenience of confusion and trouble, where a multitude of equals dealeth; and partly the dissipation which must needs ensue in companies, where every man wholly seeketh his own particular (as we all would doe even with other mens hurts) and haply the very overthrow of themselves in the end also; if for the procurement of the common good of all men, by keeping every severall man in order, some were not invested with Authority over all, and encouraged with Prerogative honour to

Ob utilitatem
publicam reip.
per unum consuli
oportere, pru-
dentissimi do-
cent.
I. C. 11. F. de
origine juris
civilis.

sustaine the weighty burthen of that charge. The good which is proper unto each man belongeth to the common good of all, as part to the whole perfection; but these two are things different; for men by that which is proper, are severed; united they are by that which is common; wherefore, besides that which moveth each man in particular to seek his private, there must be of necessity in all publike Societies also a generall mover, directing unto common good, and framing every mans particular unto it. The end whereunto all government was instituted, was *Bonum publicum*, the universall or common good. Our question is of Dominion, for that end and purpose derived into one; such as all in one publike State have agreed, that the Supream charge of all things should be committed unto one: they I say, considering what inconveniency may grow, where States are subject unto sundry Supream Authorities, have for feare of these inconveniences withdrawn from liking to establish many; ἐκ ἀγαθόν πολυκοιρανίη, the multitude of supream Commanders is troublesome. No man (saith our Saviour) can serve two Masters; surely, two supream Masters would make any ones service somewhat uneasy in such cases as might fall out. Suppose that to morrow the Power which hath Dominion in justice, require thee at the Court; that which in Warre, at the Field; that which in Religion, at the Temple; all have equall Authority over thee; and impossible it is, that then in such case thou shouldst bee obedient unto all: By chusing any one whom thou wilt obey, certaine thou art for thy disobedience to incurre

incurre the displeasure of the other two.

But there is nothing for which some comparable reason or other may not be found; are we able to shew any commendable State of Government, which by experience and practise hath felt the benefit of being in all causes subject unto the Supream Authority of one? against the policy of the *Israelites*, I hope there will no man except, where *Moses* deriving so great a part of his burthen in Government unto others, did notwithstanding retaine to himself universall Supremacy; *Iehosaphat* appointing one to be chosen in the affaires of God, and another in the Kings affaires, did this as having Dominion over them in both. If therefore from approbation of heaven, the Kings of Gods own chosen people had in the affaires of Jewish Religion Supream Power, why not Christian Kings the like also in Christian Religion? First, unlesse men will answer as some have done, *That the Iewes Religion was of far lesse perfection and dignity then ours, ours being that truth whereof theirs was but a shadowish prefigurative resemblance.* Secondly, *That all parts of their Religion, their*

According to
what example.

Stapl. de prin.
Doct. pag. 197.

Stapl. Ib.

Laws, their Sacrifices, and their Rights, and Ceremonies, being fully set down to their hands, and needing no more, but only to be put in execution; the Kings might well have highest Authority to see that done; whereas with us, there are a number of Mysteries even in beleif, which were not so generally for them, as for us necessary to be with sound expresse acknowledgement understood: a number of things belonging to externall Government, and our manner of serving God, not set down by particular Ordinances, and delivered to us in writing, for

Idem ib.

which cause the State of the Church doth now require, that the Spirituall Authority of Ecclesiasticall persons be large, absolute and not subordinate to Regall power. Thirdly, That whereas God armeth Religion Iewish as Temporall Christian with the sword; But of Spirituall punishment, the one with power to imprison, to scourge, to put to death: The other with bare authority to Censure and Excommunicate: There is no reason that the Church which hath no visible sword, should in Regiment bee subject unto any other power, then only unto theirs which have authority to binde and loose. Fourthly, that albeit whilst the Church was restrained into one people, it seemed not incommodious to grant their King the generall Chieftie of Power; yet now the Church having spread it selfe over all Nations, great inconveniences must thereby grow, if every Christian King in his severall Territory, should have the like power. Of all these differences, there is not one which doth prove it a thing repugnant to the Law, either of God, or of nature, that all supremacie of externall power be in Christian Kingdoms granted unto Kings thereof, for preservation of quietnesse, unity, order, and peace, in such manner as hath been shewed.

Of the Title of Headship.

FOR the Title or State it selfe, although the Laws of this Land have annexed it to the Crown, yet so farre wee should not strive, if so be men were nice and scrupulous in this behalfe only; because they doe wish that for reverence to Christ Jesus, the Civill Magistrate did rather use some other forme

forme of speech wherewith to expresse that Sovereigne Authority which hee lawfully hath over all, both persons and causes of the Church. But I see that hitherto they which condemn utterly the names so applyed, doe it because they mislike that such power should be given to Civill Governours. The great exception that Sir Thomas Moore took against that Title, who suffered death for denyall of it, was, *for that it maketh a Lay, a secular person, the head of the State Spirituall or Ecclesiasticall*; as though God himselfe did not name Saul, the Head of all the Tribes of Israel; and consequently of that Tribe also among the rest, whereunto the state Spirituall or Ecclesiasticall belonged; when the Authors of the Centuries reprove it in Kings and Civill Governours, the reason is, *Istis non competit iste primatus*; such kinde of power is too high for them, they fit it not: In excuse of Mr Calvin by whom this Realme is condemned of blasphemy, for entituling, *H. 8. Supream Head of this Church under Christ*, a charitable conjecture is made, that he spake by mis-information; howbeit as he professeth utter dislike of that name, so whether the name be used or no, the very power it selfe which we give unto Civill Magistrates, hee much complaineth of, and protesteth, *That their Power over all things was it which had ever wounded him deeply: That unadvised persons had made them too spirituall, that throughout Germany this fault did raign, that in those very parts where Calvin himselfe was, it prevailed more then was to be wished, that Rulers by imagining themselves so spirituall, have taken away Ecclesiasticall Government, that they think they cannot*
raign.

*Roffensis Epist.
pag. 517.*

Pref. cent. 7.

*Calvin, in com. 7.
Amos 7. v. 13.*

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raign unlesse they abolish all the Authority of the Church, and be themselves the chiefe Iudges, as well in Doctrine as in the whole spirituall regency. So that in truth, the question is, whether the Magistrate by being Head in such sence as we terme him, doe use or exercise any part of that Authority, not which belongeth unto Christ, but which other men ought to have.

These things being first considered thus, it will be easier to judge concerning our owne state, whether by force of Ecclesiasticall Government, Kings have any other kinde of Prerogative then they may lawfully hold and enjoy. It is as some doe imagine, too much, that Kings of *England* should be termed Heads in relation to the Church. That which we doe understand by *Headship*, is their only Supream Power in Ecclesiasticall affaires and causes; that which lawfull Princes are, what should make it unlawfull for men in Spirituall Stiles or Titles to signifie? If the having of Supream Power be allowed, why is the expressing thereof by the Title of *Head*, condemned? They seem in words, (at leastwise some of them) now at the length to acknowledge, that Kings may have Dominion or Supream Government even over all, both persons and causes. We in terming our Princes *Heads of the Church*, doe but testifie that we acknowledge them such Governours. Againe to this, it will peradventure be Replied, That howsoever wee interpret our selves, it is not fit for a mortall man, and therefore not fit for a Civill Magistrate to be intituled the Head of the Church, which was given to our Saviour Christ to lift him above all Powers, Rules, Dominions, Titles, in heaven or in earth. Where if this

Title

title belong also to Civill Magistrates, then it is manifest that there is a power in earth whereunto our Saviour Christ is not in this point superiour. Again if the Civill Magistrate may have this title, hee may be termed also the first begotten of all creatures. The first begotten of all the dead, yea the Redeemer of his people. For these are alike given him as dignities whereby hee is lifted up above all creatures. Besides this, the whole argument of the Apostle in both places doth leade to shew that this title, Head of the Church, cannot bee said of any creature. And further, the very demonstrative Articles among the Hebrewes, especially whom S. Paul doth follow, serveth to tie that which is verified of one, unto himselfe alone: so that when the Apostle doth say that Christ is *ἡ κεφαλή*, the head, it is as if he should say, Christ, and none other is the head of the Church. Thus have we against the entituling of the highest Magistrate, head, with relation unto the Church, foure severall arguments gathered by strong surmise out of words marvellous unlikely to have been written to any such purpose, as that whereunto they are now used and urged. To the Ephesians, the Apostle writeth, That Christ, God had set on his right hand in the heavenly places above all Regency and Authority, and Power, and Dominion, and whatsoever name is named, not in this world onely, but in that which shall be also: and hath under his feet set all things, and hath given him head above all things unto the Church which is his body, even the fulnesse of him which accomplisheth all in all. To the Colossians in like manner, That hee is the head of the body of the Church, who is a first borne regency out of the dead, to the

*Ephes. i. 21.
Col. i. 18.*

*Ephes. i. 20, 21.
22, 23.*

Col. i. 18.

Col. 16.

end he might be made amongst them all such an one as hath the Chieftie: he meaneth amongst all them whom he mentioned before, saying, *By him all things that are, were made; the things in the heavens, and the things in the earth, the things that are visible, and the things that are invisible, whether they be Thrones, or Dominions, or Regencies, &c.* Vnto the aforealleged arguments therefore we answer: First, that it is not simply the title of *Head*, in such sort understood, as the Apostle himselfe meant it; so that the same being imparted in another sence unto others, doth not any wayes make those others his equals; in as much as diversity of things is usually to be understood, even when of words there is no diversity; and it is onely the adding of one and the same thing unto divers persons, which doth argue equality in them. If I terme Christ and Cesar lords, yet this is no equalizing Cesar with Christ, because it is not thereby intended: *To terme the Emperour lord (saith Tertullian) I for my owne part, will not refuse, so that I be not required to call him Lord in the same sence that God is so termed.* Neither doth it follow which is objected in the second place, that if the Civill Magistrate may be intituled a *Head*: he may as well also be termed the first begotten of all creatures, the first begotten of the dead, and the redeemer of his people. For albeit the former dignity doth lift him up no lesse then these, yet these termes are not appliable and apt to signifie any other inferiour dignity, as the former terme of *head* was. The argument or matter which the Apostle followeth, hath small evidence or proof, that his meaning was to appropriate unto Christ, that the foresaid title,

title, otherwise then onely in such sence as doth make it, being so understood, too high to be given to any creature.

As for the force of the Article where our Lord and Saviour is called *the Head*, it serveth to tie that unto him by way of excellency, which in meaner degrees is common to others; it doth not exclude any other utterly from being termed *Head*, but from being entituled as Christ is *the head*, by way of the very highest degree of excellency; not in the communication of names, but in the confusion of things there is error. Howbeit, if *Head* were a name that could not well be, nor never had beene used to signifie that which a Magistrate may be in relation to some Church; but were by continuall use of speech appropriated unto the onely thing it signifieth, being applied unto Jesus Christ, then although wee must carry in our selves a right understanding, yet ought we otherwise rather to speake, unlesse wee interpret our owne meaning by some clause of plaine speech, because wee are else in manifest danger to be understood according to that construction and sence, wherein such words are personally spoken. But here the rarest construction and most removed from common sence, is that which the word doth import being applied unto Christ; that which we signifie by it in giving it to the Magistrate, is a great deale more familiar in the common conceit of men.

The word is so fit to signifie all kinds of Superiority, Preheminence, and Chieftie, that nothing is more ordinary then so to use it in vulgar speech, and in common understanding so to take it: If therefore

Esay 7. 9.

Pek: h is termed the head of Samaria.

Christian Kings may have any preheminance or chief-ty above all other, although it be lesse then that which *Theodore Beza* giveth, who placeth Kings amongst the principall members, whereunto publique function in the Church belongeth, and denyeth not, but that of them which have publique function, the Civill Magistrates power hath all the rest at command, in regard of that part of his office, which is to procure that peace and good order be especially kept in things concerning the first Table; if even hereupon they terme him *the head of the Church*, which is *his kingdome*, it should not seem so unfit a thing; which title surely we could not communicate to any other, no not although it should at our hands be exacted with torments: but that our meaning herein is made known to the world, so that no man which will understand can easily be ignorant that wee doe not impart unto Kings when we terme them *Heads*, the honour which is properly given to our Lord and Saviour Christ, when the blessed Apostle in Scripture doth terme him *the head of the Church*.

The power which we signifie by that name, differeth in three things plainly from that which Christ doth challenge.

Ephes. 1. 22.

First, it differeth in order, because God hath given to his Church for the head, *ὑπὲρ πάντα, ὑπὲρ ἀνάκτορας ἀρχῶν*, Farre above all principalities, and powers, and might, and dominion, and every name that is named, not in this world onely, but also in that which is to come: whereas the power which others have, is subordinate unto his.

Secondly, againe, as hee differeth in order, so in mea-

measure of power also ; because God hath given unto him the ends of the earth for his possession : unto him, dominion from sea to sea , unto him all power both in heaven and in earth, unto him such sovereignty, as doth not onely reach over all places , persons, and things, but doth rest in his owne onely person, and is not by any succession continued ; he raigneth as Head and King, nor is there any kind of law which tyeth him, but his owne proper will and wisdom, his power is absolute, the same joyntly over all which it is severally over each : not so the power of any other headship. How Kings are restrained, and how their power is limited, we have shewed before ; so that unto him is given by the title of *headship over the Church* that largeness of power, wherein neither man, nor angell, can be matched nor compared with him. Psal 118.

Thirdly, the last and greatest difference betweene him and them, is in the very kind of their power. The head being of all other parts of the body most divine, hath dominion over all the rest ; it is the fountaine of sence, of motion, the throne where the guid of the soule doth raign ; the court from whence direction of all things humane proceedeth. Why Christ is called *the head of the Church*, these causes themselves doe yeeld. As the head is the chiefe part of a man, above which there is none, alwayes joyned with the body ; so Christ the highest in his Church, is alwayes knit to it. Againe as the head giveth sence and motion unto all the body, so hee quickneth us, and together with understanding of heavenly things, giveth strength to walk therein : seeing there.

therefore that they cannot affirme Christ sensibly present, or alwayes visibly joyned unto his body the Church which is on earth, in as much as his corporall residence is in heaven. Againe, seeing they doe not affirme (it were intolerable if they should) that Christ doth personally administer the externall Regiment of outward actions in the Church, but by the secret inward influence of his grace, giveth spirituall life, and the strength of ghostly motions thereunto: Impossible it is that they should so close up their eyes, as not to discern what odds there is betweene that kind of operation, which we imply in the *headship* of Princes, and that which agreeth to our Saviours dominion over the Church. The *headship* which we give unto Kings, is altogether visibly exercised, and ordereth onely the externall frame of the Church affaires here amongst us; so that it plainly differeth from Christs, even in very nature and kind. To be in such sort united unto the Church as he is; to work as he worketh, either on the whole Church or upon any particular assembly, or in any one man, doth neither agree, nor hath any possibility of agreeing unto any one besides him.

T.C.l.2. p.411.

Against the first distinction or difference it is to be objected, *That to entitle a Magistrate head of the Church, although it be under Christ, is not absurd. For Christ hath a two-fold superiority over his, and over kingdomes; according to the one, he hath a superiour, which is his Father; according to the other, none but immediate authority with his Father; that is to say, of the Church he is head and governour onely as the sonne of man; head and governour of kingdomes onely as the son of God.*

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In the Church, as man, he hath officers under him, which T.C.L. p. 418.
officers are Ecclesiasticall persons : As for the Civill
Magistrate, his office belongeth unto Kingdomes, and to
Common-wealths, neither is there an under or subor-
dinate head, considering that his authority cometh from
God, simply and immediately, even as our Saviour Christs
doth. Whereunto the summe of our answer is, First,
that as Christ being Lord or Head over all, doth by
virtue of that Sovereignty rule all; so hee hath
no more a superiour in governing his Church,
then in exercising soveraign Dominion upon the rest
of the world besides. Secondly, that all authority
as well Civill as Ecclesiasticall, is subordinate unto
him. And thirdly, the Civill Magistrate being ter-
med head, by reason of that authority in Ecclesiasti-
call affaires which hath been already declared, that
themselves doe in word acknowledge to be lawfull:
It followeth that he is a head even subordinated of
Christ, and to Christ. For more plaine explication
whereof, unto God we acknowledge daily that King-
dome, Power, and Glory are his; that hee is the im-
mortall and invisible King of ages, as well the future
which shall be, as the present which now is. That
which the Father doth work as Lord and King over
all, he worketh not without, but by the Sonne, who
through coeternall generation, receiveth of the Fa-
ther that power, which the Father hath of himselfe.
And for that cause our Saviours words concerning
his owne Dominion are; *To me all power both in hea-*
ven and in earth is given: The Father by the Sonne
did create, and doth guide all; wherefore Christ
hath supreme Dominion over the whole universall
world.

Apoc. 1. 8.

John 17. 5.

world. Christ is God, Christ is $\alpha\beta\gamma\omega$, the consubstantial word of God; Christ is also that consubstantial word which made man. As God, he saith of himselfe, *I am Alpha and Omega, the beginning and the end: he which was, and which is, and which is to come, even the very omnipotent.* As the consubstantial word of God, he hath with God before the beginning of the world, that glory which as he was man, he requireth to have: *Father, glorifiethy Sonne with that glory which with thee he enjoyed before the world was.* Further it is not necessary, that all things spoken of Christ should agree to him, either as God, or else as man; but some things as hee is the consubstantial word of God, some things as he is that word incarnate. The works of supreme Dominion which have been since the first beginning wrought by the power of the Son of God, are now most properly and truly the works of the Son of man: the Word made Flesh doth sit for ever, and raigne as soveraigne Lord over all. Dominion belongeth unto the Kingly office of Christ, as Propitiation and Mediation unto his Priestly; Instruction, unto his Pastorall and Prophetickall office. His works of Dominion are in sundry degrees and kinds, according to the different conditions of them which are subject unto it: he presently doth governe, and hereafter shall judge the world, intire and wholly, and therefore his Regall power cannot be with truth restrained unto a proportion of the world onely. Notwithstanding, for as much as all doe not shew and acknowledge with dutifull submission, that obedience which they owe unto him; therefore such as do, their Lord he is termed by way of excellency, no otherwise then

then the Apostle doth term God the succour generally of all, but especially of the faithfull; these being brought to the obedience of faith, are every where spoken of, as men translated into that Kingdom, wherein whosoever is comprehended, Christ is the Author of eternall salvation unto them; they have a high and ghostly fellowship with God and Christ, and Saints; or as the Apostle in more ample manner speaketh, *Aggregated they are unto Mount Sion, and to the City of the living God; the Celestiall Ierusalem, and to the company of innumerable Angels,* Heb. 12.22. *and to the Congregation of the first born, which are written in heaven, and to God the Iudge of all, and to the Spirits of just and perfect men, and to Iesus the Mediator of the new Testament.* In a word, they are of that mysticall body, which we term the Church of Christ. As for the rest we account them *Aliens from the Commonwealth of Israel, and that live in the kingdom of darknes, and that are in this present world without God.* Our Saviours Dominion is therefore over these as over rebels, over them as over dutifull and loving subjects; which things being in holy Scriptures so plaine, I somewhat muse at the strang positions, that Christ in the Government of his Church and Superiority over the Officers of it, hath himselfe a Superiour which is the Father: But in governing of Kingdomes and Common-wealths, and in the Superiority which he hath over Kingdoms, no Superiour.

Againe, *That the Civill Magistrates Authority commeth from God immediately, as Christs doth,* T. c. lib. 4. pag. 411. *and is subordinate unto Christ.* In what Evangelist, Apostle, or Prophet, is it found, that Christ

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(Supream Governour of the Church) should bee so unequall to himselfe, as he is Supream Governour of Kingdomes? The works of his providence for the preservation of mankind, by upholding Kingdomes not only obedient unto, but also obstinate and rebellious against him, are such as proceed from Divine Power; and are not the works of his providence for safety of Gods Elect, by gathering, inspiring, comforting, & every way preserving his Church, such as proceed from the same power likewise? Surely if Christ as God and man have ordained certaine means for the gathering and keeping of his Church, seeing this doth belong to the Government of that Church, it must in reason follow I think, that as God and man he worketh in Church Regiment, and consequently hath no more there any Superiours, then in the Government of the Common-wealth. Againe, to be in the midst of his, wheresoever they are assembled in his name, and to be with them to the worlds end, are comforts which Christ doth performe to his Church as Lord and Governour; yea, such as he cannot perform but by that very Power wherein he hath no Superiour. Wherefore unlesse it can be proved that all the works of our Saviours Government in the Church are done by the meere and onely force of his humane nature, there is no remedy but to acknowledge it a manifest errour, that Christ in the Government of the world is equall to the Father, but not in the government of the Church. Indeed to the honour of this Dominion, it cannot be said that God did exalt him otherwise then only according to that humane nature, wherein he was made

made low. For as the Sonne of God, there could no advancement or exaltation grow unto him. And yet the Dominion, whereunto he was in his humane nature lifted up, is not without Divine Power exercised. It is by Divine Power that the Sonne of man who sitteth in heaven, doth work as King and Lord upon us which are on earth. The exercise of his Dominion over the Church Militant cannot chuse but cease, when there is no longer any Militant Church in the World. And therefore as Generals of Armies when they have finished their work, are wont to yeeld up such Commissions as were given for that purpose, and to remaine in the state of subjects and not as Lords, as concerning their former Authority; even so when the end of all things is come, the Sonne of man (who till then reigneth) shall doe the like, as touching regiment over the Militant Church on the earth. So that between the Sonne of man and his brethren, over whom he reigneth now in this their warfare, there shall be then as touching the exercise of that regiment no such difference, they not warfaring any longer under him, but he together with them under God, receiving the joyes of everlasting triumph, that so God may bee all in all; all misery in all the wicked through his Justice; in all the righteous, through his love all felicity and blisse. In the meane while hee reigneth over the World as King, and doth those things wherein none is superiour unto him, whether we respect the works of his providence and Kingdom, or of his regiment over the Church; the cause of errour in this point, doth seem to have been

T.C. 5b. 2. p. 419.

Heb. 9. 25.

Esay 7. 25.

Rom. 13. 1.

Prov 8. 15.

Humble motion, p. 63.

Rom. 1. 5.

a misconceit that Christ as Mediator, being inferior to his Father, doth as Mediator, all works of regiment over the Church, when in truth, regiment doth belong to his Kingly Office, Mediatorship to his Priestly. For as the high Priest both offered Sacrifices, for expiation of the peoples finnes, and entred into the holy place, there to make intercession for them: So Christ having finished upon the Crosse that part of his Priestly Office, which wrought the propitiation for our finnes, did afterwards enter into very heaven, and doth there as Mediator of the New Testament, appear in the sight of God for us. A like sleight of judgement it is, when they hold that Civill Authority is from God, but not immediately through Christ, nor with any subordination to God, nor doth any thing from God, but by the hands of our Lord Iesus Christ. They deny it not to be said of Christ in the old Testament, *By me the Princes rule, and the Nobles, and all the Iudges of the earth.* In the new as much is taught, *That Christ is the Prince of the Kings of the earth.* Wherefore to the end it may more plainly appeare how all Authority of man is derived from God through Christ, and must by Christian men be acknowledged to be no otherwise held then of, and under him; we are to note that because whatsoever hath necessary being, the Sonne of God doth cause it to be, and those things without which the world cannot well continue, have necessary being in the world: a thing of so great use as Government, cannot chuse but be originally from him. Touching that Authority which Civill Magistrates have in Ecclesiasticall affaires, it being

being from God by Christ, as all other goods things are, cannot chuse but be held as a thing received at his hands; and because such power is of necessity for the ordering of Religion, wherein the essence and very being of the Church consisteth, can no otherwise flow from him, then according to that speciall care which he hath to govern and guide his own people: it followeth that the said Authority is of and under him after a more speciall manner, in that *he is Head of the Church*, and not in respect of his generall Regency over the World. *All things* (saith 1 Cor. 3. 12. the Apostle speaking unto the Church) *are yours, and yee are Christs, and Christ is Gods.* Kings are Christs as Saints, because they are of the Church, if not Collectively, yet divisively understood. It is over each particular person within that Church where they are Kings; surely, Authority reacheth both unto all mens persons, and to all kinds of causes also: It is not denied, but that they may have and lawfully exercise it; such Authority it is, for which and for no other in the World we term them heads; such Authority they have under Christ, because he in all things is Lord over all; and even of Christ it is that they have received such Authority, in as much as of him all lawfull Powers are; therefore the Civill Magistrate is in regard of this Power, an under and subordinate Head of Christs people.

It is but idle where they speake, *that although for severall companies of men there may be severall Heads* T. Colib. 2. p. 130 *or Governours, differing in the measure of their Authority from the chiefest who is Head over all, yet seeing it cannot be in the Church, for that the reason why Head-*

Magistrates appoint others for such severall places, is because they cannot be present everywhere to performe the Office of an Head. But Christ is never from his body, nor from any part of it, and therefore needeth not to substitute any, which may be Heads, some over on Church, and some over an other. Indeed, the consideration of mans imbecillity, which maketh many heads necessary, where the burthen is too great for one, moved Iethro to be a perswader of Moses, that the number of Heads or Rulers might bee instituted for discharge of that duty by parts, which in whole he saw was troublesome. Now although there be not in Christ any such defect, or weaknesse, yet other causes there be divers more then we are able to search into. Wherefore it might seeme unto him expedient to divide his Kingdome into many Provinces, and place many Heads over it, that the power which each of them hath in particular with restraint, might illustrate the greatnesse of his unlimited Authority. Besides, howsoever Christ be Spiritually alwayes united unto every part of his body, which is the Church: Nevertheless, we doe all know, and they themselves who alledge this, will I doubt confesse also, that from every Church here visible, Christ touching visible and corporall presence, is removed as far as heaven from the earth is distant. Visible government is a thing necessary for the Church; and it doth not appear, how the exercise of visible government over such multitudes everywhere dispersed throughout the World should consist without sundry visible Governours, whose power being the greatest in that kinde so farre as it reacheth, they are in consideration thereof termed

termed so farre Heads. Wherefore notwithstanding the perpetuall conjunction, by vertue whereof our Saviour alwayes remaineth spiritually united unto the parts of his mysticall body; Heads indeed with supream power, extending to a certaine compasse, are for the exercise of a visible regiment not unnecessary. Some other reasons there are belonging unto this branch, which seeme to have beene objected, rather for the exercise of mens wits, in dissolving Sophismes, then that the Authors of them could think in likelihood thereby to strengthen their cause. For example, *If the Magistrate be Head of the Church withⁿ his own Dominion, then is he none of the Church: For all that are of the Church make the body of Christ, and every one of the Church fulfilleth the place of one member of the body: By making the Magistrate therefore Head, we do exclude him from being a member subject to the Head, and so leave him no place in the Church.* By which reason the name of a body politick, is supposed to be alwayes taken of the inferior sort alone, excluding the principall Guides and Governours, contrary to all mens customes of speech. The error ariseth by misconceiving of some Scripture sentences, where Christ as the Head, and the Church as the body, are compared or opposed the one to the other. And because in such comparisons of oppositions, the body is taken for those only parts which are subject unto the Head, they imagine that who so is the Head of any Church, he is therefore even excluded from being a part of that Church; That the Magistrate can be none of the Church if so we make him the Head of the Church in

T.C. lib. 2 p. 419.

Ut Hen. 8. 6. 9.

in his own Dominions: A chiefe and principall part of the Church therefore next this, is surely a strang conclusion. A Church doth indeed make the body of Christ being wholly taken together; and every one in the same Church fulfilleth the place of a member in the body, but not the place of an inferiour member the which hath Supream Authority and Power over all the rest. Wherefore by making the Magistrate Head in his own Dominions, we exclude him from being a member subject unto any other person, which may visibly there rule in place of a Superiour or Head over him; but so farre are wee off from leaving him by this meanes no place in the Church that we doe grant him the chiefe place. Indeed the Heads of those visible bodies, which are many, can be but parts inferiour in that Spirituall Body which is but one; yea, they may from this be excluded clean, who notwithstanding ought to be honoured, as possessing in order the highest roomes: But for the Magistrate to bee termed in his Dominions an Head, doth not barre him from being any way a part or member of the Church of God.

As little to the purpose are those other cavills; *A Church which hath the Magistrate for head, is perfect man without Christ*: so that the knitting of our Saviour thereunto, should be an addition of that which is too much. Againe, *If the Church be the body of Christ, and of the Civil Magistrate, it shall have two heads, which being monstrous, is to the great dishonour of Christ and his Church.* Thirdly, *if the Church be planted in a popular estate, then forasmuch as all governe*
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in common, and all have authority, all shall be heads there, and no body at all, which is an other monster. It might be feared what this birth of so many monsters together might pertend, but that wee know how things naturall enough in themselves may seem monstrous through misconceit; which error of mind is indeed a monster: and the skilfull in natures mysteries have used to terme it the womb of Monsters; if any be, it is that troubled understanding, wherein, because things lie confusedly mixt together, what they are it appeareth not. A Church perfect without Christ, I know not how a man shall imagine, unlesse there may be either Christianity without Christ, or else a Church without Christianity. If Magistrates be heads of the Church, they are of necessity Christians, then is their head Christ. The adding of Christ universall head over all unto Magistrates particular headship, is no more superfluous in any Church then in other societies: each is to be both severally subject unto some head, and to have a head also generall for them all to be subject unto. For so in Armies, in civill Corporations, we see it fareth: A body politique in such respects is not like a naturall body, in this; more heads then one is superfluous, in that not; it is neither monstrous, nor yet uncomely for a Church to have different heads: for if Christian Churches be in number many, and every of them a perfect body by it selfe, Christ being Lord and head over all; why should wee judge it a thing more monstrous for one body to have two heads, then one head so many bodies? Him that God hath made the supreme head of the whole Church, the head

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not onely of that mysticall body which the eye of man is not able to discerne, but even of every Christian politique society, of every visible Church in the world. And whereas, lastly, it is thought so strange, that in popular states a multitude to it selfe should be both body and head, all this wonderment doth grow from a little oversight, in deeming that the subject wherein headship ought to reside should be evermore some one person, which thing is not necessary: For in the collective body that hath not derived as yet the principality of power into some one or few, the whole of necessity must be head over each part; otherwise it could not have power possibly to make any one certaine person head; in as much as the very power of making a head belongeth unto headship. These supposed *Monsters* wee see therefore are no such *Giants*, as that there should need any *Hercules* to tame them.

The last difference which we have between the title of head when we give it unto Christ, and when we give it to other Governours, is, that the kind of Dominion which it importeth is not the same in both: Christ is head as being the fountaine of life and ghostly nutriment, the well-spring of spirituall blessings powred into the body of the Church; they heads, as being the principall instruments for the Churches outward government; he head, as founder of the house; they, as his chiefeest overseers. Against this is exception especially taken, and our purveyours are herein said to have their provision from the Popish shambles: for by *Pighins* and *Harding*, to prove that Christ alone is not head of the Church, this

this distinction they say is brought, that according to the inward influence of grace, Christ onely is head: but according to the outward government, the being of head is a thing common to him with others. To raise up falsehoods of old condemned, and bring it for confirmation of any thing doubtfull, which already hath sufficiently beene proved an error, and is worthily so taken, this would justly deserve censuring. But shall manifest truth therefore be reproached, because men convicted in some things of manifest untruth, have at any time thought or alledged it? If too much eagernesse against their adversaries had not made them forget themselves, they might remember where being charged as maintainers of those very things, for which, others before them have been condemned of heresie, yet lest the name of any such heretick holding the same which they doe should make them odious, they sticke not frankly to confesse, *That they are not afraid to consent in some points, with Jewes, and Turkes:* which defence, for all that, were a very weake buckler for such as should consent with Jewes and Turkes, in that which they have been abhorred and hated for in the Church. But as for this distinction of headship, Spiri uall and Mysticall in Jesus Christ, ministeriall and outward in others besides Christ; what cause is there to mislike either *Harding*, or *Pighins*, or any other besides for it? That which they have been reproved for is, not because they did therein utter an untruth, but such a truth as was not sufficient to bear up the cause which they did thereby seek to maintaine. By this distinction they have both truly and sufficiently proved, that

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the name of Head importing power and dominion over the Church, might be given to others besides Christ without prejudice to any part of his honour. That which they should have made manifest, was the name of Head, importing the power of universall dominion over the whole Church of Christ militant, doth, and that by Divine right, appertain to the Pope of *Rome*: They did prove it lawfull to grant unto others besides Christ the power of Headship in a different kind from his; but they should have proved it lawfull to challenge, as they did to the Bishop of *Rome*, a power universall in that different kind. Their fault was therefore in exacting wrongfully so great power as they challenged in that kind, and not in making two kinds of power, unlesse some reasons can be shewed for which this distinction of power should be thought erroneous and false. A little they stir (although in vaine) to prove that we cannot with truth make such distinction of power, whereof the one kind should agree unto Christ onely, and the other be further communicated. Thus therefore they argue, *If there be no head but Christ in respect of Spirituall government there is no head but he in respect of the Word, Sacraments, and Discipline administred by those whom he hath appointed, for as much also as it is his Spirituall government*: Their meaning is, that whereas we make two kinds of power, of which two, the one being Spirituall, is proper unto Christ; the other men are capable of, because it is visible and externall. We do amisse altogether in distinguishing, they thinke, forasmuch as the visible and externall power of regiment over the Church is onely in relation

tion unto the Word, the Sacraments, and Discipline, administred by such as Christ hath appointed thereunto, and the exercise of this power is also his Spirituall government: therefore we doe but vainly imagine a visible and externall power in the Church differing from his Spirituall power. Such disputes as this doth somewhat resemble the practising of well-willers upon their friends in the pangs of death, whose manner is even then to put smoak in their nostrills, and so to fetch them againe, although they know it a matter impossible to keep them living. The kind of affection which the favourers of this labouring cause beare towards it, will not suffer them to see it dye, although by what means they should make it live, they do not see; but they may see that these wrestlings will not help: can they be ignorant how little it booteth to overcast so cleare a light with some mist of ambiguity in the name of spirituall regiment? To make things therefore so plaine, that hence forward a childs capacity may serve rightly to conceive our meaning, we make the Spirituall regiment of Christ to be generally that whereby his Church is ruled and governed in things spirituall. Of this generall we make two distinct kinds; the one invisible, exercised by Christ himselfe in his owne person; the other outwardly administred by them, whom Christ doth allow to be rulers and guiders of his Church. Touching the former of these two kinds, we teach that Christ in regard thereof is particularly termed *the head of the Church of God*; neither can any other creature in that sence and meaning be termed head besides him, because it importeth the

conduct and government of our soules by the hand of that blessed Spirit wherewith we are sealed and marked, as being peculiarly his; him onely therefore doe we acknowledge to be the Lord, which dwelleth, liveth, and raigneth in our hearts; him onely to be that head, which giveth salvation and life unto his body; him onely to be that fountaine from whence the influence of heavenly graces distilleth, and is derived into all parts, whether the Word or the Sacraments, or Discipline, or whatsoever be the meanes whereby it floweth. As for the power of administering these things in the Church of Christ, which power we call the power of order, it is indeed both Spirituall and His; Spirituall, because such properly concernes the Spirit: His, because by him it was instituted. Howbeit neither Spirituall as that which is inwardly and invisibly exercised; nor his, as that which he himselfe in person doth exercise. Againe that power of dominion which is indeed the point of this controversie, and doth also belong to the second kind of Spirituall government, namely unto that regiment which is externall and visible: this likewise being Spirituall in regard of the matter about which it dealeth; and being his, in as much as hee approverh whatsoever is done by it, must notwithstanding be distinguished also from that power whereby he himselfe in person administreth the former kind of his owne Spirituall regiment, because he himselfe in person doth not administer this; we doe not therefore vainly imagine, but truly and rightly discern a power externall and visible in the Church, exercised by men, and severed in nature from that Spirituall power

power of Christs owne regiment, which power is termed Spirituall, because it worketh secretly, inwardly, and invisibly: His, because none doth, nor can it personally exercise, either besides, or together with him; seeing that him only we may name our Head, in regard of his, and yet in regard of that other power from this, terme others also besides him Heads, without any contradiction at all; which thing may very well serve for answer unto that also which they further alledge against the aforesaid distinction, namely, *That even the outward societies and assemblies of the Church, where one or two are gathered together in his name, either for hearing of the word, or for Prayer, or any other Church exercise, our Saviour Christ being in the midst of them as Mediatour, must be their Head: and if hee be not there idle, but doing the office of a head fully, it followeth that even in outward societies and meetings of the Church, no meer man can be called the head of it, seeing that our Saviour Christ doing the whole office of the head himselfe alone, leaveth nothing to men by doing whereof they may obtaine that title.* Which objection I take as being made for nothing but onely to maintaine argument: for they are not so far gone as to argue thus in sooth and right good earnest. *God standeth* (saith the Psalmist) *in the midst of gods;* if God be there present, hee must undoubtedly be present as God; if he be not there idle, but doing the office of a God fully, it followeth, that God himselfe alone doing the whole office of a God, leaveth nothing in such assemblies to any other, by doing whereof they may obtaine so high a name. The Psalmist therefore hath spoken amisse,
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T.C.I.2.p.413.

and doth ill to call Judges Gods. Not so; for as God hath his office differing from theirs, and doth fully discharge it even in the midst of them, so they are not hereby excluded from all kind of duty for which that name should bee given unto them also; but in that duty for which it was given them, they are encouraged Religiously and carefully to order themselves after the selfe same manner. Our Lord and Saviour being in the midst of his Church as Head, is our comfort, without the abridgement of any one duty; for performance whereof, others are termed Heads in another kind then hee is. If there be of the ancient Fathers which say, *That there is but one head of the Church, Christ; and that the Minister that baptizeth cannot be the head of him that is baptized, because Christ is the head of the whole Church; and that Paul could not be head of the Church which he planted, because Christ is the head of the whole body:* They understand the name of head in such sort as wee grant that it is not applyable to any other, no not in relation to the least part of the whole Church; hee which baptizeth, baptizeth into Christ; hee which converteth, converteth into Christ; hee which ruleth, ruleth for Christ. The whole Church can have but one to be head as Lord and owner of all; wherefore if Christ bee head in that kinde, it followeth, that no other besides can be so either to the whole or to any part.

To call and dissolve all solemn Assemblies about the publick Affaires of the Church.

AMongst sundry Prerogatives of *Simons* Dominion over the Jewes, there is reckoned as not the least, *that no man might gather any great assembly in the land without him.* For so the manner of Jewish regiment had alwayes been, that whether the cause for which men assembled themselves in peaceable, good, and orderly sort, were Ecclesiasticall, or Civill, Supream Authority should assemble them; *David* gathered all *Israel* together unto *Ierusalem*; when the Arke was to be removed, he assembled the sonnes of *Aaron* and the *Levites*. *Salomon* did the like at such time as the Temple was to be dedicated; when the Church was to be reformed, *Asa* in his time did the same: The same upon like occasions was done afterwards by *Ioash*, *Hezekias*, *Iosiah*, and others.

The Consuls of *Rome*, *Polybius* affirmeth to have had a kind of Regall Authority, in that they might call together the Senate and People whensoever it pleased them. Seing therefore the affaires of the Church & Christian Religion, are publick affairs, for the ordering whereof more solemn Assemblies sometimes are of as great importance and use, as they are for secular affaires: It seemeth no lesse an act of Supream Authority to call the one then the other. Wherefore the Clergy, in such wise gathered together, is an Ecclesiasticall Senate, which with us, as in former times the cheifest Prelate at his discretion did use to assemble, so that afterwards in such

Polyb. l. 6. de milit. ac domest. Rom. discipl.

considerations as have been before specified, it seemeth more meet to annex the said Prerogative to the Crown. The plot of reformed Discipline not liking therof so well, taketh order that every former Assembly before it breaketh up, should it self appoint both the time and place of their after meeting again. But because I finde not any thing on that side particulaly alleadged against us herein, a longer disputation about so plaine a cause shall not need. The ancient Imperiall Law forbiddeth such Assemblies as the Emperours Authority did not cause to be made. Before Emperours became Christians, the Church had never any generall Synod, their greatest meeting consisting of Bishops and others, the gravest in each Province. As for the Civill Governours Authority, it suffered them only as things not regarded or not accounted of at such times as it did suffer them. So that what right a Christian King hath as touching Assemblies of that kind, we are not able to judge, till we come to later times, when Religion had won the hearts of the highest Powers. Constantine (as Pighius doth grant) was not only the first that ever did call any generall Councell together, but even the first that devised the calling of them for consultation about the busineses of God. After he had once given the example, his Successors a long time followed the same; in so much that S. Hierom to disprove the Authority of a Synod which was pretended to be generall, useth this as a forcible Argument, *Dic quis Imperator hanc Synodum jussit convocari?* Their answer hereunto, is no answer, which say, *That Emperours did not this without conference had* with

*Lib. I. de Colleg.
illicit. & de con-
venticulis. cap.
de Episc. &
presbyt.*

*Hierarch. lib. 6
cap. 1.*

*Constant. Confil.
& Theodosio.*

*Sardicen. Confil.
à Constant.*

*Hieron. cont Ruf
fian lib. 2.*

with the Bishops: for to our purpose it is enough, if the Clergy alone did it not otherwise then by the leave and appointment of their Sovereign Lords and Kings. Whereas therefore it is on the contrary side alleadged, that *Valentinian* the elder being requested by Catholick Bishops, to grant that there might be a Synod for the ordering of matters called in question by the *Arians*, answered, that he being one of the Laity, might not meddle with such matters, and thereupon willed that the Priests and Bishops, to whom the care of those things belongeth, should meet and consult together by themselves where they thought good. We must with the Emperours speech weigh the occasion & drift thereof: *Valentinian* and *Valens*, the one a Catholick, the other an *Arian*, were Emperours together: *Valens* the Governour of the East; and *Valentinian* of the West Empire. *Valentinian* therefore taking his journey from the East, unto the West parts, and passing for that intent through *Thracia*, there the Bishops which held the soundnesse of Christian beliefe, because they knew that *Valens* was their professed Enemy, and therefore if the other was once departed out of those quarters, the Catholick cause was like to finde very small favour, moved presently *Valentinian* about a Councell to be assembled under the countenance of his Authority; who by likelyhood considering what inconvenience might grow thereby, inasmuch as it could not be but a means to incense *Valens* the more against them, refused himselfe to be Author of, or present at any such Assembly, and of this his denyall gave them a colourable reason, to wit, that he was al-

*Sozomen. lib. 6.
cap. 7.*

*Ambrose Epist.
32.*

though an Emperour, yet a secular person, and therefore not able in matters of so great obscurity to sit as a competent judge. But if they which were Bishops and learned men, did think good to consult thereof together, they might; whereupon when they could not obtaine that which they most desired, yet that which he granted unto them they took, and forthwith had a Councell. *Valentinian* went on towards *Rome*, they remaining in consultation, till *Valens* which accompanied him returned back; so that now there was no remedy, but either to incurre a manifest contempt, or else at the hands of *Valens* himselfe, to seek approbation of that they had done. To him therefore they became suitors, his answer was short, *Either Arianism, or Exile, which they would*; whereupon their banishment ensued. Let reasonable men now therefore be judges, how much this example of *Valentinian*, doth make against the Authority, which we say that Sovereign Rulers may lawfully have, as concerning Synods, and meetings Ecclesiasticall.

Of the Authority of making Lawes.

There are which wonder that we should account any Statute a Law, which the High Court of Parliament in *England* hath established about the matter of *Church Regiment*; the Prince and Court of Parliament, having (as they suppose) no more lawfull meanes to give order to the Church and Clergy in those things, then they have to make Lawes for the Hierarchies of Angels in heaven, that the Parliament
being

being a meer temporall Court, can neither by the Law of nature, nor of God, have competent power to define of such matters; that Supremacy in this kind cannot belong unto Kings, as Kings, because Pagan Emperours whose Princely power was true Sovereignty, never challenged so much over the Church, that Power in this kinde cannot be the right of any earthly Crown, Prince, or State, in that they bee Christians, forasmuch as if they be Christians, they all owe subjection to the Pastors of their soules; that the Prince therefore not having it himselfe, cannot communicate it to the Parliament, and consequently cannot make Lawes here, or determine of the Churches Regiment by himselfe, Parliament or any other Court subjected unto him.

The Parliament of *England* together with the Convocation annexed thereunto, is that whereupon the very essence of all Government within this Kingdome doth depend; it is even the body of the whole Realm, it consisteth of the King, and of all that within the Land are subject unto him. The Parliament is a Court not so meerly Temporall as if it might meddle with nothing but only leather and wooll: Those dayes of Queen *Mary* are not yet forgotten, wherein the Realm did submit it self unto the Legate of Pope *Iulius*, at which time had they been perswaded as this man seemeth now to be, had they thought that there is no more force in Lawes made by Parliament concerning Church affaires, then if men should take upon them to make Orders for the Hierarchies of Angels in heaven, they might have taken all former Statutes of that kinde

An. 1. & 2. Phil.
& Mar. cap. 8.

as cancelled, and by reason of nullity abrogated. What need was there that they should bargainie with the Cardinall, and purchase their pardon by promise made before hand, that what Lawes they had made, assented unto, or executed, against the Bishop of Romes Supremacy, the same they would in that present Parliament, effectually abrogate and repeale? had they power to repeale Lawes made, and none to makes Lawes concerning the Regiment of the Church? Again, when they had by suit obtained his confirmation for such foundations of Bishopricks, Cathedrall Churches, Hospitals, Colledges, and Schooles; for such marriages before made, for such Institutions into Livings Ecclesiasticall, and for all such Judiciall Proceesses as having been ordered according to the Lawes before in force, but contrary unto the Canons and Orders of the Church of Rome, were in that respect thought defective, although the Cardinall in his Letters of Dispensation, did give validity unto those Acts, even *Apostolica firmitatis robur*, the very strength of Apostolicall solidity; what had all this been without those grave authentick words? *Be it enacted by the Authority of this present Parliament, that all and singular Articles and Clauses contained in the said Dispensation, shall remaine and be reputed and taken to all intents and constructions in the Lawes of this Realm, lawfull, good and effectually to be alledged and pleaded in all Courts Ecclesiasticall and Temporall, for good and sufficient matter either for the Plaintiffe or Defendant, without any Allegation or objection to be made against the validity of them by pretence of any generall Councell, Canon, or Decree to the contrary. Somewhat*

what belike they thought there was in this meer Temporall Court, without which the Popes owne meer Ecclesiasticall Legates Dispensations had taken small effect in the Church of *England*; neither did they, or the Cardinall imagine any thing committed against the law of nature, or of God, because they took order for the Churches affaires, and that even in the Court of Parliament. The most naturall and Religiouscourse in making Lawes, is, that the matter of them be taken from the judgement of the wisest in those things which they are to concern; in matters of God to set down a form of prayer, a solemn Confession of the Articles of the Christian Faith, and Ceremonies meet for the exercise of Religion. It were unnaturall not to think the Pastors and Bishops of our Souls a great deale more fit, then men of Secular Trades, and Callings: Howbeit, when all which the wisdom of all sorts can doe, is done for the devising of Laws in the Church, it is the generall consent of all that giveth them the form and vigour of Lawes, without which they could be no more unto us then the Councels of Physitians to the sick; well might they seem as wholsome admonitions and Instructions, but Laws could they never be without consent of the whole Church to be guided by them, whereunto both nature and the practice of the Church of God set down in Scripture, is found every way so fully consonant, that God himselfe would not impose, no not his own Lawes upon his people by the hand of *Moses* without their free and open consent. Wherefore to define and determine even of the Churches affaires by way of assent and approbation, as Lawes are defined.

defined of in that Right of Power, which doth give them the force of Lawes: thus to define of our own Churches Regiment, the Parliament of *England* hath competent Authority.

Touching that Supremacy of Power which our Kings have in this case of making Lawes, it resteth principally in the strength of a negative Voyce; which not to give them, were to deny them that without which they were Kings but by meer Title, and not in exercise of Dominion. Be it in Regiment Popular, Aristocraticall, or Regall, Principality resteth in that person, or those persons unto whom is given right of excluding any kinde of Law whatsoever it be, before establishment. This doth belong unto Kings, as Kings; Pagan Emperours, even *Nero* himselfe had no lesse; but much more then this in the Laws of his own Empire; that he challenged not any interest of giving Voyce in the Laws of the Church, I hope no man will so construe, as if the cause were conscience, and feare to incroach upon the Apostles right. If then it bee demanded by what right from *Constantine* downward, the Christian Emperours did so farre intermeddle with the Churches affaires, either we must herein condemne them, as being over presumptuously bold, or else judge that by a Law, which is termed *Regia*, that is to say Regall, the people having derived unto their Emperours their whole Power for making of Lawes, and by that meanes his Edicts being made Lawes, what matter soever they did concern, as Imperiall Dignity endewed them with competent Authority and Power to make Lawes for Religion, so they were thought by
Christi-

§ Item quod
principi placuit,
legis habet vi-
gorem. Inst de
I.N.G. & C.

Christianity to use their power being Christians unto the benefit of the Church of Christ: was there any Christian Bishop in the world which did then judge this repugnant unto the dutifull subjection which Christians doe owe to the Pastors of their soules, to whom, in respect of their sacred order, it is not by us, neither may be denied, that Kings and Princes are as much, as the very meanest that liveth under them, bound in conscience to shew themselves gladly and willingly obedient, receiving the scales of salvation, the blessed Sacraments at their hands, as at the hands of our Lord Jesus Christ, with all reverence, not disdaining to be taught and admonished by them, nor with-holding from them as much as the least part of their due and decent honour? All which, for any thing that hath been alledged, may stand very well without resignation of supremacy of Power in making Laws, even Laws concerning the most spirituall affaires of the Church; which Laws being made amongst us, are not by any of us so taken or interpreted, as if they did receive their force from power which the Prince doth communicate unto the Parliament, or unto any other Court under him, but from Power which the whole body of the Realme being naturally possesse with, hath by free and deliberate assent derived unto him that ruleth over them, so far forth as hath been declared; so that our Lawes made concerning Religion, doe take originally their essence from the power of the whole Realme and Church of *England*, then which nothing can be more consonant unto the law of nature and the will of our Lord Jesus Christ.

To let these goe, and returne to our owne Men ;
 T.C.II. p. 92. Ecclesiasticall Governours, they say, may not med-
 dle with making of Civil Lawes, and of Lawes for the
 Common-wealth ; nor the Civil Magistrate, high or low,
 with making of Orders for the Church. It seemeth un-
 to me very strange, that these men which are in no
 cause more vehement and fierce, then where they
 plead that Ecclesiasticall persons may not ~~never~~ be
 Lords, should hold that the power of making Eccle-
 siasticall lawes, which thing of all other is most pro-
 per unto Dominion, belongeth to none but Eccle-
 siasticall persons onely : their oversight groweth
 herein for want of exact observation, what it is to
 make a Law. Tully speaking of the law of nature, saith,
That thereof God himself was inventor, disceptator, la-
tor, the deviser, the discusser, and deliverer : wherein he
 plainly alludeth unto the chiefeft parts which then
 did appertaine to his publique action. For when
 Lawes were made, the first thing was to have them
 devised ; the second to sift them with as much exact-
 nesse of judgement as any way might be used ; the next
 by solemne voyce of Sovereigne authority to passe
 them, and give them the force of Lawes. It cannot
 in any reason seeme otherwise then most fit, that un-
 to Ecclesiasticall persons the care of devising Eccle-
 siasticall Lawes be committed, even as the care of
 Civil unto them which are in those affairs most skil-
 full. This taketh not away from Ecclesiasticall per-
 sons all right of giving voyce with others, when Ci-
 vill Lawes are proposed for regiment of the Common
 wealth, whereof themselves, though now the world
 would have them annihilated, are notwithstanding as
 yet

yet a part; much lesse doth it cut off that part of the power of Princes, whereby as they claime, so wee know no reasonable cause wherefore wee may not grant them, without offence to Almighty God, so much authority in making all manner of Lawes within their own Dominions, that neither Civill, nor Ecclesiasticall doe passe without their Royall assent.

In devising and discussing of Laws, wisdomes especially is required; but that which establissheth them and maketh them, is power, even power of Dominion; the Chieftie whereof (amongst us) resteth in the person of the King. Is there any Law of Christs which forbiddeth Kings and Rulers of the earth to have such soveraigne and supreme Power in the making of Lawes, either Civill or Ecclesiasticall? If there be, our controversie hath an end. Christ in his Church hath not appointed any such law concerning Temporall power, as God did of old unto the Commonwealth of Israel; but leaving that to be at the worlds free choyce, his chieftest care is that the spirituall law of the Gospell might be published far and wide. They that received the law of Christ, were for a long time people scattered in sundry kingdoms, Christianity not exempting them from the lawes which they had beene subject unto, saving onely in such cases as those lawes did injoyne that which the Religion of Christ did forbid: Hereupon grew their manifold persecutions throughout all places where they lived; as oft as it thus came to passe there was no possibility that the Emperours and Kings under whom they lived, should meddle any whit at all with

making laws for the Church. From Christ, therefore, having received power, who doubteth, but as they did, so they might bind them to such orders as seemed fittest for the maintenance of their Religion; without the leave of high or low in the Commonwealth, for as much as in Religion it was divided utterly from them, and they from it. But when the mightiest began to like of the Christian faith, by their meanes whole free States and Kingdomes became obedient unto Christ. Now the question is, whether Kings by embracing Christianity, doe thereby receive any such law as taketh from them the weightiest part of that Sovereignty which they had even when they were heathens: whether being Infidels they might do more in causes of Religion, then now they can by the lawes of God, being true beleivers. For whereas in Regall States, the King or supreme Head of the Commonwealth, had before Christianity a supreme stroke in making of Lawes for Religion; he must by embracing Christian Religion utterly deprive himselfe thereof, and in such causes become subject unto his Subjects, having even within his own Dominions them whose Commandement he must obey; unlesse his power be placed in the head of some forrain spirituall Potentate: so that either a forrain or domesticall commander upon earth he must admit more now then before he had, and that in the chiefest things whereupon Commonwealths doe stand. But apparant it is unto all men which are not strangers unto the Doctrine of Jesus Christ, that no State of the world receiving Christianity, is by any law therein contained, bound to resigne the power which they lawfully held before: but over what persons

ions, and in what causes soever the same hath beene in force, it may so remaine and continue still. That, which as Kings they might doe in matters of Religion, and did in matter of false Religion, being Idolatrous and Superstitious Kings, the same they are now even in every respect fully authorized to do in all affairs pertinent to the state of true Christian Religion. And concerning the supreme power of making Lawes for all persons, in all causes to be guided by, it is not to be let passe, that the head enemies of this Headship are constrained to acknowledge the King endued even with this very power, so that hee may and ought to exercise the same, taking order for the Church and her affaires, of what nature or kind soever, in case of necessity, as when there is no lawfull Ministry, which they interpret then to be (and this surely is a point very remarkable) wheresoever the Ministry is wicked. A wicked Ministry is no lawfull Ministry, and in such sort no lawfull Ministry, that what doth belong unto them as Ministers by right of their calling, the same to be annihilated in respect of their bad qualities; their wickednesse in it selfe a deprivation of right to deale in the affaires of the Church, and a warrant for others to deale in them which are held to be of a cleane other society, the members whereof have beene before so peremptorily for ever excluded from power of dealing ~~for ever~~ with affairs of the Church. They which once have learned thoroughly this lesson, will quickly be capable perhaps of another equivalent unto it. For the wickednesse of the Ministry transfers their right unto the King; in case the King be as wicked as they, to whom then shall the right

descend? There is no remedy, all must come by devotion at length, even as the family of *Browne* will have it, unto the godly among the people, for confusion unto the wise and the great by the poore and the simple: some *Kimberdoling* with his retinue must take this work of the Lord in hand; and the making of Church Lawes and Orders, must prove to be their right in the end. If not for love of the truth, yet for shame of grosse absurdities, let these contentions and stifling fancies be abandoned. The cause which moved them for a time to hold a wicked Ministry no lawfull Ministry, and in this defect of a lawfull Ministry, authorized Kings to make Lawes and Orders for the affaires of the Church, till it were well established, is surely this. First, they see that whereas the continual dealing of the Kings of Israel in the affaires of the Church, doth make now very strong against them, the burthen whereof they shall in time well enough shake off, if it may be obtained that it is indeed lawfull for Kings to follow these holy examples; howbeit no longer then during the case of necessity, while the wickednesse, and in respect thereof the unlawfulness of the Ministry doth continue. Secondly, they perceive right well, that unlesse they should yeeld authority unto Kings in case of such supposed necessity, the Discipline they urge were cleane excluded, as long as the Clergy of *England* doth thereunto remaine opposite. To open therefore a doore for her entrance, there is no remedy but the tenent must be this; That now when the Ministry of *England* is universally wicked, and in that respect hath lost all authority, and is become no lawfull

full Ministry, no such Ministry as hath the right, which otherwise should belong unto them if they were vertuous and godly, as their adversaries are; in this necessity the King may doe somewhat for the Church: that which we doe imply in the name of Headship, he may both have and exercise till they be entred, which will disburthen and ease him of it: till they come, the King is licenced to hold that power which we call headship. But what afterwards? In a Church ordered, that which the supreme Magistrate hath, is to see that the Lawes of God touching his Worship, and touching all matters and orders of the Church, be executed and duly observed; to see that every Ecclesiasticall person do that office whereunto he is appointed, to punish those that faile in their office. In a word, that which *Allen* himselfe acknowledgeth unto the earthly Power which God hath given him, it doth belong to defend the Lawes of the Church; to cause them to be executed, and to punish rebels and transgressors of the same: on all sides therefore it is confest, that to the King belongeth power of maintaining the Laws made for Church regiment, and of causing them to be observed; but principality of Power in making them, which is the thing wee attribute unto Kings, this both the one sort, and the other doe withstand.

Touching the Kings supereminent authority in commanding, and in judging of causes Ecclesiasticall, First, to explain therein our meaning, It hath been taken as if we did hold, that Kings may prescribe what themselves think good to be done in the service of God: how the Word shall be taught, how the Sacraments administred; that Kings may personally sit in

T.C. l. 1. p. 192.

Apol. fol. 40. p. 2

Power to command all persons, and to be over all Iudges in causes Ecclesiasticall,

in the Consistory where the Bishops doe, hearing and determining what causes soever doe appertaine unto the Church. That Kings and Queenes in their own proper persons are by judicial sentence to decide the questions which do rise about matters of Faith and Christian Religion; that Kings may excommunicate; finally, that Kings may doe whatsoever is incident unto the office and duty of an Ecclesiasticall Judge; which opinion, because we account as absurd, as they who have fathered the same upon us, we doe them to wit, that this our meaning is and no otherwise. There is not within this Realme an Ecclesiasticall officer, that may by the authority of his own place command universally throughout the Kings Dominions; but they of this people whom one may command, are to an others commandement unsubject; only the Kings Royall power is of so large compasse, that no man commanded by him according to the order of Law, can plead himselfe to be without the bounds and limits of that authority. I say according to order of Law, because that with us the highest have thereunto so tyed themselves, that otherwise then so they take not upon them to command any. And that Kings should be in such sort supreme Commanders over all men, we hold it as requisite as well for the ordering of Spirituall as Civill affaires; in as much as without universall authority in this kind, they should not bee able when need is, to doe as vertuous Kings have done. *Iosiah purposing to renew the house of the Lord, assembled the Priests and Levites, and when they were together, gave them their charge, saying: Go out unto the cities of Iudah, and gather of Israel money to repair the house of God from year to year, and haste the things:*

But

2 Chron. 24.

ver. 5, 6, 7, 8, 9.

But the Levites hastened not. Therefore the King called Jehoiada, the Chiefe, and said unto him; why hast thou not required of the Levites to bring in out of Iudah and Ierusalem, the Tax of Moses, the servant of the Lord, and of the Congregation of Israel, for the Tabernacle of the Testimony? For wicked Athalia, and her children brake up the House of the Lord God, and all the things that were dedicated for the House of the Lord, did they bestow upon Balaam. Therefore the King commanded, and they made a Chest, and set it at the gate of the House of the Lord without, and they made a Proclamation through Iudah and Ierusalem, to bring unto the Lord, the Tax of Moses the servant of the Lord, laid upon ^{2 Chron. 6. 39.} Israel in the wilderness. ^{v. 6.} Could either he have done this, or after him Ezechias the like concerning the celebration of the Paschever, but that all sorts of men in all things did owe unto these their Sovereign Rulers, the same obedience, which sometimes Iosuah ^{10 I. v. 18.} had them by vow and promise bound unto? Whosoever shall rebell against thy Commandements, and will not obey thy words in all thou commandest him, let him be put to death; onely be strong and of a good courage. Furthermore, Judgment Ecclesiasticall we say is necessary for decision of Controversies rising between man and man, and for correction of faults committed in the affaires of God, unto the due execution whereof there are three things necessary, Lawes, Judges, and Supream Governours of Judgements; what Courts there shall be, and what causes shall belong unto each Court, and what Judges shall determine of every cause, and what order in all judgements shall be kept; of those things the Lawes have sufficiently di-

E e sposed

*Inst. de offi.
jud.*

posed, so that his duty who sitteth in any such Court, is to judge, not of, but after the same Law. *In primis illud observare debet Iudex: ne aliter judicet quam legibus, constitutionibus, aut moribus proditum est, ut Imperator Iustinianus*; which Lawes (for we meane the positive Lawes of our Realm, concerning Ecclesiasticall affaires) if they otherwise dispose of any such thing, then according to the Law of reason, and of God, we must both acknowledge them to be amisse, and endeavour to have them reformed: But touching that point, what may be objected, shall after appear. Our Judges in causes Ecclesiasticall, are either Ordinary or Commissionary; Ordinary, those whom we term Ordinaries; & such by the Laws of this Land are none but Prelates only, whose power to do that which they do, is in themselves, and belonging to the nature of their Ecclesiasticall calling. In spirituall causes, a Lay person may be no Ordinary; a Commissionary Judge there is no let but that he may be; and that our Lawes doe evermore refer the ordinary judgement of spirituall causes unto spiritual persons, such as are termed Ordinaries, no man which knoweth any of the practice of this Realme, can easily bee ignorant. Now besides them which are Authorized to judge in severall Territories, there is required an universall Power which reacheth over all, imparting Supream Authority of Government, over Courts, all Iudges, all Causes, the operation of which power is as well to strengthen, maintain and uphold particular Iurisdiction, which haply might else be of small effect: as also to remedy that which they are not able to help, and to redresse that wherein they at any time doe otherwise

otherwise then they ought to doe. This power being sometime in the Bishop of *Rome*, who by sinister practises had drawn it into his hands, was for just considerations by publick consent annexed unto the Kings Royall Seat and Crown; from thence the Authors of Reformation would translate it into their National Assemblies or Synods, which Synods are the only helps that they think lawfull to use against such evils in the Church as particular Iurisdctions are not sufficient to redresse. In which cause, our Lawes have provided that the Kings supremient Authority and Power shall serve. As namely, when the whole Ecclesiasticall State, or the principall persons therein, do need visitation and reformation; when in any part of the Church Errors, Schisms, Heresies, abuses, offences, contemps, enormities, are grown; which men in their severall Iurisdctions, either doe not or cannot help. Whatsoever any Spirituall Authority and Power (such as Legates from the See of *Rome* did sometimes exercise) hath done, or might heretofore have done, for the remedy of those evils in lawfull sort (that is to say, without the violation of the Lawes of God, or nature in the deed done) as much in every degree our Lawes have fully granted, that the King for ever may doe, not only by setting Ecclesiasticall Synods on work, that the thing may be their act, and the King their motion unto it, for so much perhaps the Masters of Reformation will grant: But by Commissions few or many, who having the Kings Letters Patents, may in the vertue thereof execute the premises as Agents in the right, not of their own peculiar and Ordinary, but of his supereminent power. When men

1. Eliz. cap. 1.

Machiavel.
bistor. florent.
l. 1.

29 Hen. 8. cap. 19

are wronged by inferiour Iudges, or have any just cause to take exception against them, their way for redresse, is to make their appeal; and appeal is a present delivery of him which maketh it, out of the hands of their power and jurisdictions from whence it is made. Pope *Alexander* having sometimes the King of *England* at advantage, caused him amongst other things to agree, that as many of his Subjects as would, might have appeal to the Court of *Rome*. And thus (saith one) that whereunto a mean person at this day would scorn to submit himself, so great a King was content to be subject. Notwithstanding even when the Pope (saith he) had so great Authority amongst Princes which were farre of, the Romans he could not frame to obedience, nor was able to obtain that himself might abide at *Rome*, though promising not to meddle with other then Ecclesiasticall affaires. So much are things that terrifie, more feared by such as behold them aloofe off then at hand. Reformers I doubt not in some causes will admit appeales, but appeals made to their Synods, even as the Church of *Rome* doth allow of them, so they be made to the Bishop of *Rome*. As for that kinde of appeal which the English Lawes doe approve from the Iudge of any certain particular Court unto the King, as the only Supream Governour on earth, who by his Delegates may give a finall definitive Sentence from which no farther appeale can be made: will their platform allow of this? Surely, forasmuch as in that estate which they all dreame of, the whole Church must be divided into Parishes, in which none can have greater or lesse Authority and power then another: againe, the King himselfe must be but as a
common

common member in the body of his own Parish, and the causes of that only Parish must be by the Officers thereof determinable. In case the King had so much favour or preferment as to be made one of those Officers (for otherwise by their positions, he were not to meddle any more then the meanest amongst his Subjects with the judgements of any Ecclesiasticall cause) how is it possible they should allow of Appeals to be made from any other abroad to the King? To receive Appeals from all other Judges, belongeth unto the highest in Power of all, and to be in Power over all (as touching judgement in Ecclesiasticall causes) this as they think belongeth only to Synods. Whereas therefore with us, Kings doe exercise over all things, persons, and causes Supream Power, both of voluntary and litigious Iurisdctions; so that according to the one they incite, reform, and command, according to the other, they judge universally, doing both in farre other sort then such as have Ordinary Spirituall Power; oppugned we are herein *T. C. l. 3. p. 54.* by some colourable shew of argument, as if to grant thus much to any Secular Person, it were unreasonable. For sith it is (say they) apparant out of the *Chronicles*, that judgement in Church matters pertaineth to God; *2 Chron. 19. 5.* Seeing likewise it is evident out of the * *Apostles*, that the *high Priest* is set over those matters in Gods behalf, it must needs follow that the Principality or direction of the judgement of them, is by Gods Ordinance appertaining to the high Priest, and consequently to the Ministry of the Church; and if it be by Gods Ordinance appertaining unto them, how can it be translated from them to the Civil Magistrate? which Argument briefly drawn into forme,
 E c 3 lyeth

lyeth thus, That which belongeth unto God, may not be translated unto any other, but whom he hath appointed to have it in his behalfe: But principality of judgement in Church matters appertaineth unto God, which hath appointed the high Priest, and consequently the Ministry of the Church alone to have it in his behalfe. *Ergo*, It may not from them be translated to the Civill Magistrate. The first of which propositions we grant, as also in the second, that branch which ascribeth unto God Principality in Church matters. But that either he did appoint none but only the high Priest to exercise the said Principality for him, or that the Ministry of the Church may in reason from thence be concluded to have alone the same Principality by his appointment; these two points we deny utterly. For concerning the high Priest, there is first no such Ordinance of God to be found: *Every high Priest* (saith the Apostle) *is taken from amongst men, and is ordained for men in things pertaining to God*; whereupon it may well be gathered, that the Priest was indeed Ordained of God to have Power in things appertaining unto God. For the Apostle doth there mention the Power of offering gifts and sacrifices for sin, which kinde of Power was not only given of God unto Priests, but restrained unto Priests only. The Power of Iurisdiction and ruling Authority, this also God gave them, but not them alone: For it is held, as all men know, that others of the Laity were herein joyned by the Law with them. But concerning Principality in Church affaires, (for of this our question is and of no other) the Priest neither had it alone, nor at all

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all but in spirituall or Church affaires, (as hath been already shewed) it was the Royall Prerogative of Kings only. Againe, though it were so that God had appointed the high Priest to have the said Principality of Government in those matters; yet how can they who alleadge this, enforce thereby, that consequently the Ministry of the Church, and no other, ought to have the same, when they are so far off from allowing so much to the Ministry of the Gospel, as the Priest-hood of the Law had by Gods appointment: That we but collecting thereout a difference in Authority and Iurisdiction amongst the Clergy to be for the Policy of the Church not inconvenient; they forthwith think to close up our mouthes by answering, *That the Iewish high Priest had Authority above the rest, only in that they prefigured the Sovereignty of Iesus Christ; as for the Ministers of the Gospel, it is altogether unlawfull to give them as much as the least title, any syllable whereof may sound to Principality.* And of the Regency which may be granted, they hold others even of the Laity, no lesse capable then the Pastors themselves. How shall these things cleave together? The truth is, that they have some reason to think it not all of the fittest for Kings, to sit as ordinary Iudges in matters of Faith and Religion. An ordinary Iudge must be of the quality which in a supream Iudge is not necessary, because the person of the one is charged with that which the others Authority dischargeth, without imploying personally himselfe therein. It is an errour to think that the Kings Authority can have no force nor power in the doing of that which himselfe may not personally doe.

doe. For first, impossible it is, that at one and the same time, the King in person should order so many, and so different affaires, as by his Power everywhere present are wont to be ordered both in peace and at warre, at home and abroad. Again, the King in regard of his nonage or minority, may bee unable to performe that thing wherein yeares of discretion are requisite for personall action; and yet this Authority even then be of force. For which cause we say, that the Kings Authority dyeth not, but is and worketh alwayes alike. Sundry considerations there may bee effectuall, to with-hold the Kings person from being a doer of that which notwithstanding his Power must give force unto, even in Civill affairs; where nothing doth more either concern the duty, or better beseem the Majesty of Kings, then personally to administer Iustice to their People (as most famous Princes have done;) yet if it be in case of Felony or Treason, the Learned in the Lawes of this Realm doe affirm, that well may the King commit his Authority to another, to judge between him and the offender, but the King being himself there a party, he cannot personally sit to give judgement.

*Stamf. Pleas
of the Crown,
lib. 2. cap. 3.*

FINIS.

